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# THE GERMAN PARTY SYSTEM

JAMES K. POLLOCK, JR.

*University of Michigan*

It has now been ten years since the German people elected the National Assembly which gave them the Weimar constitution. A decade of self-government under this liberal and democratic charter has rather definitely established the lines of party cleavage and the general features of the party system, and the time seems ripe for a survey of the system with a view to elucidating its principal characteristics. The present article is concerned only incidentally with party history before the revolution of 1918, and also not primarily with the party programs of today. It has to do, rather, with what Lord Bryce once referred to as "the pathology of party government," and also with what political scientists have now come to recognize as the heart—one might say the thermostat—of popular government, namely, party organization and machinery. *Parteiwesen* is the German word, and it refers to the practical operation of the party system.[1]

Why should Germany be the subject of such a study? There are several very good reasons. Since the overthrow of the imperial régime, Germany has been operating under a very progressive constitution. In many respects it is the most advanced

[1] For a good brief history of German parties, consult L. Bergsträsser, *Geschichte der politischen Parteien* (5th ed., Berlin, 1928). The standard reference on party programs is F. Saloman, *Die deutschen Parteiprogramme*, 3 vols. (4th ed., Berlin, 1926). In *Zehn Jahre Deutsche Republik*, by Anton Erkelenz (Berlin, 1928), pp. 534–542, Professor Bergsträsser has written a good brief account of the aims of present-day German parties.



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constitution in the world. Political parties are required to operate such a system based on popular rule, and the party system developed in the Reich is so unique and interesting, so illustrative of many problems which are now troubling political thinkers the world over, that it warrants close study. Then again, by throwing light on the motive power and the nerves of the government, we will be better able to understand how the government itself operates. In brief, we find in Germany a new government operated by means of a new party system. The experience of an intelligent and powerful people with such a system should be useful to everyone interested in the problem of popular government.[2]

Speaking generally, political parties are attuned to the constitutional systems with which they are associated, and must be considered in the light of the nation's history. As Professor Bergsträsser well says, "the development of political parties in Germany cannot be understood if one does not place them inside the frame of the universal history of the German people."[3] Before the revolution of 1918, there were political parties in Germany, but they were of little governmental importance because the government was not based on popular rule. Many political thinkers like Rohmer, Bluntschli, Stahl, Treitschke, Merkels, and Max Weber philosophized about the types of modern political parties, without considering the place of parties in the modern state.[4] Today, parties must operate a democratic system, and they are consequently more important. The change in the constitutional system of Germany has thus led to a change in its party system. But the German historical background is the same as it was before the war, and the German people are quite the same.

Following the Revolution, the pre-war parties went through

[2] There has recently appeared an excellent study of the German government written by Blachly and Oatman and entitled *The Government and Administration of Germany* (Baltimore, 1928). The authors of this valuable book did not attempt to deal with German parties.

[3] Bergsträsser, *op. cit.*, p. 7.

[4] See the excellent book by Prof. Otto Koellreutter, *Die politischen Parteien im modernen Staate* (Breslau, 1926), pp. 18–36.

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a metamorphosis by changing their names and some of their doctrines, and of course by changing their methods completely. All parties became "people's parties." Some of them even included the word "people's" in their new names. But even so, the National Assembly of 1918 was not entirely unlike, in the party make-up, the last Reichstag of the Empire. Since 1871 there has been some continuity in the historical development of German parties. In 1871 there were six "fractions"; in 1919 there were six great parties; in 1929 there are nine parties. The Social Democrats, the Nationalists, the Centrists, the People's party, and the Democrats all have roots in the past, even though today their organizations and operations are in most respects entirely different from what they were in the period before the war.

The natural political cleavages in present-day Germany are due, therefore, in part to historical events, and not merely to events since the Great War.[5] Karl Marx and the socialist agitation in Germany have made the country class-conscious. This accounts for one great party, the Social Democrats. The Reformation effected a cleavage between Protestants and Catholics, and we find a distinct Catholic party as a result. The particularism of certain German states has led to the formation of a particularistic party such as the Bavarian People's party. The old Junkers called themselves Nationalists after the war, and the old National Liberal party broke into two sections, one converting itself into the People's party, the other into the Democratic party. Finally, the proximity of Germany to Russia has made the existence of a Communist party very natural; and postwar developments account for two parties of the Right, namely, the Economic party and the National Socialist party.

There are, of course, other political parties in Germany besides the ones just accounted for. But they are what the Germans call *Splitterparteien* or *Zwergparteien*. In the Reichstag election of 1928 there were actually twenty-nine party lists entered in the Reich. But of these parties, only fourteen secured

[5] See Ernst Jäckh, *The New Germany* (London, 1927), p. 47.

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seats, and only nine will be able to have any influence in legislation.[6] In dealing with German parties, therefore, we need be concerned with no more than nine of them. The others are not organized nationally; they are largely personal and local; they have nearly all been formed in some one or two of the *Länder* merely to attract votes away from the larger parties; and they have no future. As soon as the Reichstag is able to deal with the matter of electoral reform, they will no longer exist; for it is only by the liberality of the present law that one man with a few followers is permitted to form a party. Few restraints are now imposed to prevent the German from indulging his natural bent by forming a new *Verein*, and the plethora of so-called political parties is to be expected to continue until legislation makes it necessary for a party really to represent a definite body of opinion before it can go before the voters and ask for their suffrages.

## I. THE PRINCIPAL PARTIES

Before characterizing the party system generally, it will be well to note the general political opinion which each of the parties represents, and, in doing so, to follow the usual European basis, and move from the parties of the Left to those of the Right. On the extreme Left are the Communists. They are members of the Third International, and they have the closest relationships with the Soviet government.[7] At present they are the fourth strongest party in the Reich, with fifty-four seats in the Reichstag. Their strength, although it has been on the upgrade in recent years, is rather limited to a few of the great centers of population and industry such as Berlin, Hamburg, and sections of the Westphalian and Saxon industrial areas. In no one of the thirty-five electoral districts into which Germany is divided do the Communists have over thirty per cent of the total vote, and in only three do they have from twenty to thirty per cent.[8]

[6] *American Political Science Review*, vol. 22, pp. 698–706.
[7] See Joseph Lenz, *Was wollen die Kommunisten* (Berlin, 1927).
[8] *Die Gesellschaft*, vol. 5, No. 7, p. 5.

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Next to the Communists are the Social Democrats. This party is, and has been since 1918, the strongest in Germany. Its present proportion of seats in the Reichstag, in the various Landtags, and in the numerous city councils is nearly one-third of the total membership.[9] The present Chancellor of the Reich is a Social Democrat; the prime minister of Prussia is a Social Democrat; and the total popular vote polled by the party in the last parliamentary election was 9,151,059, more than double the vote polled by its nearest competitor, the Nationalists. The paid-up membership of the party at the end of the fiscal year 1927 was 867,671.[10] The party is in every respect truly imposing, and without any doubt is the greatest political influence in the new Germany. With the possible exception of the Conservative party in England, no party in the world is so well organized. It is a member of the Second International, and since the promulgation of the Weimar constitution has been decidedly evolutionary in its socialist opinions.[11]

Continuing from Left to Right, the next party is the German Democratic party, the left wing of the old National Liberals.[12] This party is very liberal; it contains many of the intelligentsia; and it has had a great influence in the government of the country despite the fact that it is apparently losing some of its popular support. It is now the sixth largest party.

The Center, or Catholic, party, although limited in popular voting strength to western Germany, continues to be the third largest party in the Reich, and by virtue of its position midway between Left and Right, has been able to have its representatives in every cabinet since the formation of the republic. The party

[9] The *Jahrbuch der deutschen Sozialdemokratie*, 1927, p. 219, contains a table showing the representation of the party in the various governing bodies of the Reich.

[10] *Op. cit.*, p. 185.

[11] The standard history of the Social Democratic party is Franz Mehring, *Geschichte der deutschen Sozialdemokratie*, 4 vols. (Stuttgart, 1903). A shorter, but more recent, work is Richard Lipinski, *Die Sozialdemokratie*, 2 vols. (Berlin, 1927). See *Jahrbuch der deutschen Sozialdemokratie*, which has appeared each year since 1926.

[12] See Anton Erkelenz, *Zehn Jahre Deutsche Republik* (Berlin, 1928), a volume which deals with all phases of the life and work of the Democratic party.

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is held together by the religious tie, even though it contains two groups with opposite opinions.[13] The Bavarian People's party, which is next to the Catholic party, is really a "brother party," as Dr. Georg Schreiber calls it, with a working arrangement with the Catholic party assuring that it will be left alone in Bavaria, where its entire strength lies. The party is decidedly more conservative than the Center party, but in most matters in the Reichstag its policy goes hand in hand with that of the Centrists.[14]

The next party is the German People's party, led—until his death a short time ago—by Dr. Gustav Stresemann.[15] Until the last elections, it was fourth in strength in the Reich; but it has now been surpassed by the Communist party. Although there is considerable talk from time to time about a merger of the People's party with the Democratic party, little progress has been made in this direction. The political programs of the two seem to be similar, but their economic ideas and social interests are wide apart. The People's party is the party of "big business," while the Democratic party has a broader social policy.

The Economic party, which since 1924 has had some strength in the national parliament, is a group of opportunists which, on account of inflation and its attendant evils, has been able to appeal to the discontent of various groups by promising improved conditions.[16] As long as economic conditions remain troubled, this party will continue to exist. But it is not founded on any permanent economic interest, nor upon any strongly held body of opinion.

The German National People's party, or the Nationalists,

[13] See Karl Bachem, *Vorgeschichte und Geschichte und Politik der deutschen Zentrumspartei* (Cologne, 1927); Johannes Schauff, *Die deutschen Katholiken und die Zentrumspartei* (Cologne, 1927); Adam Röder, *Der Weg des Zentrums* (Berlin, 1925); and G. Schreiber, *Grundfragen der Zentrumspolitik* (Berlin, 1924).

[14] See "Die Arbeitsgemeinschaft zwischen Bayerischer Volkspartei und Zentrum," in the party magazine *Tren zur Fahne*, Dec., 1927, Munich. Also Georg Schreiber, *Politisches Jahrbuch*, 1925, p. 69 ff.

[15] In 1927 this party published a volume entitled *Deutscher Aufbau* which contains a series of articles dealing with all phases of the party's life.

[16] The Nationalists have published a useful pamphlet entitled "Die Wirtschaftspartei," Berlin, 1927. See *Handbuch der Wirtschaftspartei* (Berlin, 1924).

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as it is popularly called, is, and has been since 1918, the second strongest party in the country.[17] As in other German parties, there are two wings, left and right; but, in general, one can say that the party is distinctly conservative, although it has ceased to be actually monarchist and has helped to put through the Dawes Plan and the Locarno treaties. In this party are found the large landowners and many industrialists.

Finally, on the extreme Right are the National Socialists, who are not Marxian socialists at all, but rather are strongly chauvinist, anti-semitic, monarchical, and reactionary.[18] This small group is led by Adolf Hitler; it received but 800,000 votes in the last election, most of them from southern and western Germany; and it is without organization throughout most of the country.

## II. ORGANIZATION AND WORK OF THE PARTIES

We come now to the organization and work of the parties.[19] In the first place, German parties are highly organized. In complete contrast with the multiple-party system of France, Germany has developed a highly integrated, smoothly working party machinery which has an equal in England but no superior anywhere in the world. One might naturally expect the Germans to be perfect in party organization, and yet before the war Germany hardly knew what professional party organizers were. Today, however, under the democratic régime, not only are political parties necessary, but, due to the requirements of the new constitutional system, it is necessary for them to be at work the year round in order to be ready at any time for elections.

[17] See Graf Westarp, *Klar das Ziel* (Berlin 1926); also Walther Graef, *Werden und Wollen der Deutschnationalen Partei* (Berlin, 1924), and Walter Lambach, *Politische Praxis* (Berlin, 1927).

[18] *Nationalsozialistisches Jahrbuch* (Munich, 1927).

[19] Consult Herbert Sultan, "Zur Soziologie des Modernen Parteisystems," in *Archiv für Sozialwissenschaft und Sozialpolitik*, vol. 55, No. 1, pp. 91–140; Heinrich Triepel, *Die Staatsverfassung und die politischen Parteien* (Berlin, 1928); Georg Decker, "Krise des deutschen Parteisystems," in *Die Gesellshaft*, vol. 3, No. 1, pp. 1–16 (1926). Also the organization handbooks of the various parties which are distributed among their workers.

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The general features of party organization in Germany are quite the same for all parties.[20] There are variations, of course, and in several of the *Länder* there are wide differences. But, following the *Satzungen*, or constitutions, of the various national parties, we find rather uniform provisions. Inasmuch as the organization of German parties, according to their fundamental statutes, is built from the bottom to the top, one would be led to believe that the structure is entirely democratic.

German parties uniformly require persons who become members to adhere to the fundamental principles of the party and to be enrolled on the party list—in most cases, also, to pay a regular contribution to the party, a requirement which is effective only in the case of the Social Democratic party. Parties are careful to see to it that only inscribed members become officials and candidates. Due to the system of nomination in vogue (to be referred to later), the leaders have an effective means of controlling this matter. No "mongrels" or "mugwumps" ever become candidates of a German party; only the true-blue members are allowed to carry the party colors or represent the party or in any effective way control the party activities. Discipline is enforced rather effectively.[21] Most of the party constitutions contain provisions making it possible to expel members who commit certain generally defined acts of opposition or injury to the party. These provisions take up more space in the organization statutes than one might expect, and although the practice is not quite as rigid as the law, parties do expel members and at all times keep careful check upon their leaders and

[20] The organization of the Economic party, the National Socialist party, the Bavarian Peoples' party, and the Communist party will not be drawn on for illustrations, because, several features of their organizations are not typical, and because they are not of major importance. In a short study such as this, they cannot be treated. The Bavarian Peoples' party is a very interesting group which might well be studied separately. See Anton Pfeiffer, *Gedankenwelt und Tätigkeit der bayerischen Volkspartei* (Munich, 1925).

[21] If a member of the party in a legislative body leaves his party, he is expected to vacate his seat, so that the party will be properly represented. There is a moral, but not a legal, obligation to resign. See R. H. Wells, "Partisanship and Parties in German Municipal Government," *National Municipal Review*, vol. 17, pp. 479–481 (August, 1928).

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members to see that they are orthodox. Party discipline, as will appear more clearly later, is a reality in Germany, and not an idle dream as it is in the United States.

The governing organs of the German party are of two general kinds, deliberative and executive. The various *Versammlungen*, or party assemblies, are the organs of discussion, while the *Parteivorstand*, or executive committee, and the various *Parteiausschüsse*, or party committees, are the executive organs. The most important party assembly is the *Parteitag*, or national convention, which consists of delegates from the various districts of the country, in proportion to the party vote or to the party membership in each district, together with the members of the party in the Reichstag and the members of the various party committees. The *Parteitag* has the power to draw up the party constitution or amend it, to formulate the party program, and, in general, to settle the lines of party policy. In the case of the Social Democratic, Center, and Democratic parties, this body is of great importance. The constitution of the Social Democratic party, for instance, states that "the *Parteitag* is the supreme representative of the party," and by other provisions makes it clear that it is also the supreme authority in the party. The *Parteitag* of the Nationalists and of the People's party, however, is not so important, although in both these cases, too, it has the power to adopt and amend the party constitution. As a rule, these national conventions meet once a year, although in the case of the Social Democratic party a meeting is held about once in three years, due partly to the great expense under the Socialist rules of calling together so large an assembly.

In the Social Democratic, Center, and Democratic parties, the *Parteitag* also elects the *Parteivorstand*, and also the *Vorsitzender*, or chairman. But in the Nationalist and People's parties there is an additional body, known in the former as the *Parteivertretung* and in the latter as the *Zentralvorstand*, which has the power to select the chairman of the party.

The executive committee is assisted by a *Parteiausschuss* in the Social Democratic party, by a *Reichsparteiausschuss* in the

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Center party; or, as in the People's party, by a *Reichsausschuss*. This body, which contains delegates from all the districts (by whatever name it is known), comes together upon call of the party executives to discuss important party or political developments. Next, each party has a *Parteiverwaltung*, or *Geschäftsführende Ausschuss* or *Parteileitung*—in the case of the Democrats and Socialists, a *Parteivorstand*, which, by means of central headquarters in Berlin, with a large permanent staff, directs the work of the party throughout the Reich.[22]

These various organs constitute the chief cogs in the German party machine, but they require for their proper operation a well integrated and smoothly oiled local organization in each of the districts into which the Reich is divided. German parties have adopted the electoral district as their principal unit of local party control, and in each of these districts will be found a local organization developed along the lines of the national organization.[23] There are local conventions and a local executive committee, which runs the party business. The constitution of the Center party illustrates the various units in the party machinery: "The party consists of municipal and county organizations, of state and provincial and electoral district organizations, and of a national organization. The party organizations consist of party assemblies, party executive committees, and party committees." All of these local organizations are tied up with the next highest unit, and constant contacts are kept between the successive divisions of the party machinery. The directing force is the national headquarters in Berlin; but everything depends upon the coöperation of the local units, from the

[22] The organization of the Communist party differs from that of the other parties in that it is based entirely on the working class, and is built up from what are called *Betriebszellen* or *Strassenzellen*. In every unit there is an assembly and a party directorate, which culminates in a party conference and a party convention which elects a central committee to direct the party work. Although the plan of organization looks very democratic, actually the party is quite easily controlled by a few leaders. See Ossip Piatnitzki, *Organisatorische Fragen* (Hamburg, 1925), for a complete description of the party organization, together with numerous organization charts.

[23] See the various annual reports published by the provincial organizations of the Social Democratic party and of the Center party.

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electoral district organizations through the provincial and county organizations to the city and village organizations. Each party, with the exception of the Social Democrats, has several districts where its organization is weak, but it is really amazing how thoroughly the whole Reich is organized for all of the principal parties. That is to say, not every party is well organized in every district, but in every district at least three of the parties are well organized and in the running when elections come along. One-party districts are unknown.

Throughout the whole Reich, the parties maintain adequate district headquarters, which are kept functioning the year round. There is not merely an agent but frequently a small staff to take care of the regular party work. If the party has a newspaper in the district, as it probably has, the party officials work hand in hand with the gentlemen of the press. Many of the local party officials are also members of the *Reichstag* or of the *Landtag*, the *Kreistag* or the *Gemeinderat*, and work at party headquarters when their legislative duties permit. The Social Democratic party has approximately fifteen hundred paid officials.

Every party provides for a number of committees to carry on work along certain lines. Thus there will be a national committee, with local representatives, to deal with communal politics; one to deal with women; one with young people; one with officials; and so forth. These committees meet probably several times a year and discuss the problems of particular interest to them.[24] Through them, and through the regular party officials, the members are constantly being informed about the various phases of party work. Serious educational work, also, is being carried on continuously to develop the party members. Schools, excursions, celebrations, courses of lectures, moving pictures, educational pamphlets—all are regular parts of party activity.[25] Various summer schools are held, and as often as possible district and national meetings are called.

[24] See, for instance, the *Jahresbericht* of the German Democratic party for 1926, in order to find a list of the party's activities.

[25] Consult the section entitled *Bildungswesen* in the *Jahrbuch der deutschen Sozialdemokratie*, 1927, p. 220.

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Every party publishes a number of regular magazines for general circulation. These vary from general political reviews to specialized reviews dealing with communal politics, activities of women, agriculture, and the like.[26] Several of these party magazines are of a higher order, and all of them are useful, even necessary, in following German party activity. The multifarious work done by German parties is very adequately revealed by a perusal of their regular publications. In addition to these, the parties prepare and distribute enormous amounts of pamphlet propaganda.[27]

Probably the most important instrument of propaganda at the disposal of the parties is the press. German newspapers are entirely partisan. They are frequently the creatures, and are always the slaves, of parties. Some newspapers call themselves independent, and a few papers are reasonably so, but the German press as a whole is a powerful party instrument, or, rather, several powerful party instruments. Much could be written to make this point clear, but a few illustrations will suffice. At the end of 1927 the Social Democratic party not merely controlled, but actually owned, 188 newspapers, and 179 of these were published by the party's own presses.[28] The Social Democratic *Year-Book* says very clearly that "the newspaper presses of the party are a part of the party organization, with the purpose of carrying on propaganda for the party in an important field."[29] The Nationalist party is served well by the powerful Hugenberg combine, which includes not only newspapers but also moving pictures.[30] Three of the best newspapers, while very much above the standard of independence for German

[26] A few of the more important ones are: *Kommunalpolitische Blätter* (Centrist), *die Gemeinde* (Socialist), *Kommunale Umschau* (Peoples' party), *Der Demokrat* (Democratic), *Die Hilfe* (Democratic), *Deutsche Stimmen* (Peoples' party), *Das Junge Zentrum* (Centrist), *Unsere Partei* (Nationalist), *Deutsche Selbstverwaltung* (Nationalist).

[27] See *Jahrbuch der deutschen Sozialdemokratie*, 1927, p. 188.

[28] *Op. cit.*, 1927, p. 223. See also a party publication entitled "*Die Sozialdemokratische Parteipresse im Geschäftsjahr 1927.*

[29] *Op. cit.*, p. 222.

[30] Consult Ludwig Bernhard, *Der Hugenberg-Konzern* (Berlin, 1928); also Paul Baecker, *Die deutschnationale Volkspartei und die Presse* (Berlin, 1925).

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papers, constantly assist the Democratic party.[31] There is thus a close connection between party and press, and one frequently finds the party editors holding important places in the councils of the party, if not actually representing the party in the Reichstag or in some one of the Landtags.[32] Each party has a press service which supplies regular correspondence to the newspapers of the party throughout the year.

This extensive party activity requires a rather large financial outlay. As in other countries, the party funds are never adequate, and German parties feel that they are in straightened circumstances. But they manage to collect very sizeable sums to carry on their work. Election expenditures are also large, but in general well made.[33]

When the election campaign begins, all the hard work of the previous electoral period bears fruit. There is very little lost motion or lost time, as there commonly is in an American campaign, and the party machinery, which has been kept well oiled, can promptly be speeded up. Party activity is merely intensified, and the election hinges more on the work done before the campaign than on that during it. German elections are hard fought, thoroughly organized, and seriously managed. The active campaign lasts about three weeks, although six weeks usually intervene between the dissolution of the Reichstag and the election.[34]

### III. CHARACTERISTICS OF THE PARTY SYSTEM

One can now see what a vast and important mechanism the German party system is. Keeping the organization and work of

[31] The three newspapers here referred to are the *Berliner Tageblatt*, the *Vossische Zeitung* of Berlin, and the *Frankfurter Zeitung*. See Franz Göttinger, *Geheimwirkungen der Presse* (Graz, 1924).

[32] Stampfer, the editor of *Vorwärts*, Georg Bernhard, the editor of the "Voss," and Hugenberg are members of the Reichstag, merely to mention a few of the more prominent editors. Many Social Democratic members of the Reichstag and of the various Landtags are also editors of local newspapers.

[33] The writer hopes to publish in the near future a study of the use of money in English, French, and German elections where these matters will be treated thoroughly.

[34] See *American Political Science Review*, vol. 22, pp. 698–706, for an account of the last Reichstag election. Also *National Municipal Review*, vol. 17, pp. 15–19, for an account of a municipal election in Hamburg.

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the parties in mind, let us look at the system as party pathologists in order to discover its elements of strength and its elements of weakness, where the power is actually lodged, and what contributions to popular government it is making.

In the first place, attention should be called to the power of what we in America call "the machine," and what the Germans refer to as "the party bureaucracy." With the coming of democracy to Germany, and the consequent mechanization of party life, it was a natural tendency for the power of the party machine to grow. Today it has developed until, as Professor Koellreutter points out, "it has come to be the master and not the servant of the voters."[35] This development he attributes to the fact that "the modern party organization of mass parties must use demagogic means," whether it belongs to a Left or to a Right party, if it expects to win the masses to its banner. Advertising and publicity methods are quite the same for all parties. "Everywhere," he says, "there is mechanization, which one can also indicate as Americanization."

There can be no doubt of the overweening influence of the party directorate. As has been pointed out previously, its members are in the party conventions. They also make up the agenda for these conventions, they collect and dispose of large funds, and in practice they manage to perpetuate themselves in control of the party machinery. There is, of course, considerable variation among the parties. The Social Democratic party appears to be operated and controlled democratically,[36] while the Nationalist party, by its devious and various organization methods, makes it exceedingly difficult for the rank and file really to control party action. At the present time, Herr Hugenberg, the powerful figure who controls so many avenues of publicity and opinion, is the leader of the Nationalist party, and the machinery is so well devised that he has no difficulty in controlling his party very effectively.[37]

[35] Otto Koellreutter, *Die politischen Parteien im modernen Staate*, pp. 50–54.

[36] See the *Organizationsstatut der Sozialdemokratischen Partei Deutschlands*, section 6.

[37] See the *Satzungen der deutschnationalen Volkspartei*, especially sections 31 to 47 inclusive. The real power in the party is not the national convention nor the local conventions, but the executive organs, especially the *Parteileitung*.

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Every observer of German party government remarks about how strongly the machine is entrenched. Spengler, perhaps, has uttered the most stinging criticism. "The constitution of 1919," he says, "coming into existence on the verge of the decline of democracy, contains in all ingenuousness a dictatorship of the party machines, which have conferred upon themselves all rights and are responsible to no one. The notorious system of proportional representation with its national list secures their self-recruitment. In place of the rights of the people which were axiomatic in the constitution of 1848, there are now only party rights, which sound harmless but which nurture within themselves a Cæsarism of the organizations."[38] Other observers likewise point to the system of proportional representation which is in force in Germany as the cause of the great power of the machine. This system, known as a system of strictly binding lists, forces the electors to vote for a party list and not for a person. The list of party candidates has been prepared beforehand by the party leaders in a more or less—mostly less—democratic way, and when the voter gets his ballot he places a cross after the name of a party, and the seats are awarded to each party in the proportion which the party's vote bears to the total vote. In elections to the Reichstag a seat is given for every 60,000 votes.[39]

Since the party leaders have control over the nomination of the lists, and the voters have only the opportunity to vote for one party or the other, without in any way changing the order of names on the lists, or without picking one name from one list and another name from another list, great power is concentrated in the hands of the leaders of the parties. The nomination process is entirely unregulated by law. Each party sets up its own system, which usually consists of a local assembly of the party

[38] Oswald Spengler, *Untergang des Abendlandes*, vol. 2, p. 573.

[39] A party, however large its total vote in the Reich, cannot secure a seat unless it has been able to elect a member in one of the thirty-five districts. All surpluses from these districts are taken to the unions of districts, where seats are again awarded on the basis of one seat for each 60,000 votes. Finally, any surpluses from the unions of districts, or if the party has not seen fit to make unions of districts, then all surpluses from the districts, are carried over to the national list, where again one seat is awarded for every 60,000 votes. There is, therefore, no wastage of votes, and parties secure representation in exact proportion to the vote cast.

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members to decide upon the lists for local offices, another assembly in the electoral district or state to select the lists for the Landtag and Reichstag elections, and a national committee, usually the *Parteivorstand*, to decide upon the candidates to be placed on the national list.[40] In the case of the party assemblies, there is rarely a change made in the recommendations of the party leaders. In the nomination of the national list, party expediency is the chief criterion of selection, and a consultation with the rank and file of the party is not necessary. The fuss and fury and expense of an American primary election are thus obviated, and party regularity and control by the leaders can be much more easily achieved than under American conditions.

With the system of P.R. in force in Germany, the leaders may, by arranging only a few unions of lists, carry over to the national list a large surplus which will then be available to elect a larger number of candidates from the national list. Reference to the election returns for the last two Reichstags will make clear how this is accomplished.[41] In the December election of 1924, for instance, the Social Democrats, with the largest total vote, elected but six members from their national list, while the Nationalists, with a million and a half fewer popular votes, elected fourteen members from theirs.[42]

The national list is only one means of strengthening the party machine. The fact that Germany is divided into thirty-five large districts for the purpose of a national election makes it exceedingly difficult for the members of Parliament either to be known in or to keep in touch with their constituencies. The population of a constituency varies from one and a quarter million to two and a half million people. The large area of the constituencies also militates against a member becoming ac-

[40] See Section 32 of the Nationalist constitution; also sections 14 and 15 of the People's party constitution.

[41] Consult *Hauptergebnisse der Wahlenz um Reichstag* bearbeitet in Büro des Reichswahlleiters (Berlin, 1928).

[42] The names placed on the national list are usually those of prominent members of the party. Some of these might find difficulty in being elected in a constituency, but the party feels the need of their services and assures their election by putting them on the national list in good position. There is, of course, some value in assuring seats to many of the best men in the party.

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quainted with his constituents. Pomerania and Baden, for instance, are each separate constituencies. The German member of Parliament, therefore, has even a more difficult political task than an American senator, for, in addition to having a large area to cover and an enormous number of voters to reach, he must always keep his political fences in repair, for an election may occur at any time.

If the German member of Parliament actually felt the necessity of working his constituency thoroughly, he would have a difficult task indeed. But the mere magnitude of the task has led to the development of a system which is much easier for the member of Parliament and much better for the party managers. The essence of the system simply is that the member looks to the party machine for his nomination and election and not to the voters. If he can keep in favor with the leaders, it does not much matter whether he courts his constituency. The managers can ensure his nomination and election, while the voters, in most cases, are not able even to make his nomination possible.[43]

Another feature of the German electoral system deserves mention because of its bearing on the party system. No provision is made for by-elections to fill vacancies in the membership of legislative bodies. In the event of a vacancy, the next highest man on the same party list automatically takes the vacant seat, thus eliminating the expense of a special election, but further strengthening the control of the party managers at the expense of the rank and file of the party voters.

There is consequently much justice in the complaint of one writer that "parties are everything and the individual is nothing."[44] Not only does the party machine nominate the candidate, but it also keeps strict control over him after he is elected, so that he can perform his parliamentary duties only in accordance with the instructions of the party leaders. The binding force of party in legislation will appear later.

The complaint frequently uttered in Germany against the

[43] In the states, counties, and cities the binding force of the machine is somewhat less than in the national sphere. But the writer was unable to find any section of Germany where the machine was weak.

[44] *Zeitschrift für Politic*, vol. 18, no. 3, pp. 137–146.

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system of P. R. at present in force is that it entrenches the party bureaucracy too strongly, that it causes the life of the party, and with this, political life in general, to stagnate, that it submerges personalities and fails to satisfy the wishes of the whole party and of the electorate. Too much, however, must not be made of these criticisms. There is a party bureaucracy in the United States without a system of proportional representation and with an elaborate system of primary elections. As George Decker points out: "Whoever wishes to fight the bureaucracy in his party should seek the possibility of reforming the inner life of his party in other directions. It is quite out of the question to find a panacea which will be good for all parties. Certainly the reform of the electoral system is no such means."[45] Nevertheless, the German election system aids the party machine and is very convenient for its purposes. Several slight changes would suffice to eliminate most of the serious objections to the system, although difficulties are inherent in proportional representation which could be obviated only by the adoption of another system.

With such a well-integrated party machine, one might well expect a close connection between the party and legislation. Since the leaders control the nomination and election of the members of the various legislative bodies of the country, they are in a strong position to control the action of these members after they have taken their seats. Such control clearly exists. Article 21 of the constitution of the Reich says that "the members of the Reichstag are representatives of the whole people. They are subject only to their own consciences and are not bound by any instructions." There are similar provisions in all the state constitutions.[46] But these pronouncements are quite meaningless; in practice, the member always votes as his "party fraction" has decided. There is really no independence in the German Reichstag at all. Everything is run on a cut and dried party basis. The rules of procedure give recognition, not to individual members, but only to "party fractions" of at least fif-

[45] *Die Gesellschaft*, vol. 5, no. 11, p. 395.

[46] Otto Ruthenberg, *Verfassungsgesetze des deutschen Reichs und der deutschen Länder* (Berlin, 1926).

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teen members. Legislative proposals of members must be signed by at least fifteen members. Interpellations must be signed by thirty members, while small questions must be supported by fifteen members.[47] When large public questions are brought to the floor for discussion, each party decides who will speak for it, and these representatives appear in the order of their party's strength in the Reichstag. There is no real debate; in reality, all important matters have been decided in the committees.[48]

When important legislative proposals are pending, the various party groups in legislative bodies, in city councils, in Landtags, or in the Reichstag itself, hold frequent meetings (caucuses, as we would call them) to decide what attitude the party shall take. Each party in the Reichstag, for instance, has a party room where these caucuses are held, and party groups meet several times during a week for purposes of deliberation. In these caucuses there is comparatively free discussion; but when the decision is taken, the utmost regularity is insisted upon and actually secured.[49] Furthermore, members of the Reichstag are required by their party rules to pay, on the average, one hundred marks a month in dues to the party treasury, which is another indication of the subservience of the member to his party.[50]

This strong control of party members even after they have been elected to public positions is very satisfactory from the point of view of party responsibility. One can know exactly where each party stands, and the leaders cannot excuse themselves before the electorate by complaining about the difficulty

[47] See Geschäftsordnung für den Reichstag, sections 49–62.

[48] Consult a very readable and illuminating book by Walter Lambach, a member of the Reichstag, entitled *Die Herrschaft der Fünfhundert* (Berlin, 1926). This book describes the operations of the Reichstag and the work of its individual members.

[49] Koellreutter says: "The member is no longer the representative of the whole people but of a party." *Op. cit.*, p. 67. See also the excellent article in *Zeitschrift für Politik*, vol. 18, no. 3, pp. 137–146, entitled "Freies oder Imperatives Mandat." This writer points out how the party state has really overcome parliamentary democracy by so closely binding legislative members to their parties.

[50] Lambach, *op. cit.*, p. 17.

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of holding party members in line.[51] One difficulty in the matter of enforcing party responsibility, however, is the fact that there are so many parties that in order to form a government there must always be a coalition. In coming into a coalition, parties frequently must make very substantial compromises which are quite contrary to the avowed principles on which their members were elected to office.

This leads to several observations about the multiple party system as it has been worked out in Germany. One would naturally suppose that under a multiple party system issues and party programs would be clear-cut and easily differentiated. This, at any rate, is what the friends of such a system maintain. With the people of the country divided into nine groups instead of two, it should be much easier for each group to contain homogeneous elements which can work together. That is to say, they should be able to agree on definite principles and proposals and not write platitudinous platforms. These expectations, however, have not been fulfilled in the German multiple party system. The tendency has been to make platforms less important and the organization more important; that is, to be more general about policies, so that the party leaders may have more leeway. Then again, party platforms are mainly for elections, and consequently are not genuine party creeds nor statements of party principle which are of permanent value.

Interestingly enough, there is considerable overlapping in German party programs. Perhaps this is what makes any form of coöperation among the parties possible. Certainly there is no clear line of demarcation between the Democrats and the People's party, nor between one large section of the Center party and the Democrats and right-wing Social Democrats. In fact, even though there are nine parties in Germany, each one of them

[51] It should not be overlooked that the party fractions in legislative bodies are always represented in party conventions and on various party committees. Here again the party leaders are given additional strength to put through their plans. Party fractions frequently publish reports to show the work which they have accomplished over a period of years. These reports are an indispensable source of information for anyone desiring to study the operations of the parliamentary system.

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has a right wing and a left wing. One cannot possibly understand German parties without appreciating the views of the representatives of both wings of all parties.[52] Perhaps this process of producing more parties in order to have each party represent certain definite interests and stand for certain definite principles is an endless one. In any event, there is no assurance from German experience that the more parties there are the clearer and more definite are the political issues. After all, one may only vote yes or no, and, regardless of how many parties exist, the people must combine into two groups before they vote. An electorate cannot make a decision on nine different issues, or even on several different issues, especially when there are numerous parties which indistinctly shade over into each other. "Are you for the government or are you against it," is all that one can reasonably ask an electorate to decide. To urge the people to vote Democratic so that the party will be well represented in the next government presupposes a knowledge among the voters of the intricacies of forming a cabinet. In the referendum on the princes' property there was a definite decision. When a president is elected, the people are able to make a decision, because they are not confused by the existence of several alternatives. The presence of a third candidate for the presidency in the run-off election of 1925 clearly demonstrates the difficulty of having more than two candidates to choose from. The successful one may not be the choice of the majority.[53]

A further fact should be noted in this connection. The German constitution has provided for a parliamentary system of government, with a ministry responsible to the Reichstag, which is elected by the people voting under universal suffrage and proportional representation. With the Reichstag exactly representing the party divisions throughout the country, it should be

[52] There is nearly as much incompatibility of opinion in several of the German parties as there is in either of the two great American parties.

[53] The election of Hindenburg in 1925 has proved to be a great boon to the German people, but his election was made possible by the Communist candidate attracting enough voters away from the more liberal presidential candidate who was running against Hindenburg. Hindenburg was not the majority choice. Such important matters should not be left to chance.

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possible for a ministry to be formed which will carry out the will of the majority of the people as expressed at the polls. All ministries in Germany must, of course, be coalitions of several parties, but it should be possible to form a ministry which will give effect to the popular will. Allowing for the fact that Germany has had but brief experience with responsible government, it must be observed that the existence of numerous parties has greatly complicated the working of parliamentary government and has prevented the will of the people from being carried out. The parliamentary system works well only when there are two parties. The presence of more parties makes for confusion.[54]

After the 1928 elections to the Reichstag, it was necessary, in order to form a government, to include representatives of the People's party in the coalition. Although the people had clearly spoken for a decidedly liberal government by swinging far to the left, the Socialist Chancellor had to compromise with "big business," as represented by the People's party, in order to form a government. The existence of a strong Communist party to some extent accounted for this necessary compromise, because this party refuses to work with any other party. But such compromises to meet the exigencies of parliamentary government are bound to occur as long as party relationships remain even approximately in the state they are now in. Germany apparently has to have many parties, and with many parties, proportional representation. But the result is certainly not satisfactory. The problem of parliamentary government under a multiple party system deserves the best thought that the Germans can give it.[55]

The strength of the party organization is having another very noticeable effect. Not only is national legislation closely controlled by the party organizations, but we find national parties entering the sphere of local politics in order to fulfill their

[54] See *Jahrbuch des öffentlichen Rechts*, 1925, vol. 13, pp. 1–249, for an admirable summary of the experience of Germany under the Weimar constitution. Also Blachly and Oatman, *op. cit.*, p. 37, for the difficulties of cabinet government under a multi-party system.

[55] Blachly and Oatman, *op. cit.*, p. 142.

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purposes.[56] Local politics are shaped largely along national party lines. A Bürgermeister of one of the largest cities complained to the writer that now he is forced to listen in the city council to discussions of national questions which have no bearing upon the paving of *Landstrasse*, a problem which was then troubling him. The development of the party spirit throughout Germany has resulted in introducing politics into phases of government where not known before.

Inasmuch as the German states, eighteen in all, are governed by ministries operating under a parliamentary system of government, one might expect an undue emphasis on parliamentarism and all that goes with it. In fact, there appears to be an exaggeration of the importance of state politics; and this can be traced directly to the present type of state government. The writer recalls attending several sessions of the Landtag of the diminutive state of Thuringia. With all solemnity, legislators were discussing from the partisan point of view matters of very small importance. They had been elected as Communists or Nationalists to a body whose political importance was greatly inflated, and they were playing politics as they were expected to do. Such emphasis on state politics will probably disappear in time as Germany develops a more unified government. Today, state politics bulk too large for a country where state powers are relatively weak.[57]

The existence of numerous "splinter parties" is another feature of the present party system that deserves attention. The electoral laws at first permitted a small number of persons to nominate a list and thus constitute themselves a party.[58] As this privilege was abused, several of the states enacted changes which required nomination lists to be signed by 3,000 or 5,000 or 7,000 voters. Some states adopted the English practice of requiring money deposits, to be forfeited unless the new party

[56] See the excellent article on this subject by Professor Wells in the *National Municipal Review*, vol. 17, pp. 473–481.

[57] See Erich Koch-Weser, *Einheitsstaat und Selbstverwaltung* (Berlin, 1928), for a good discussion of this point.

[58] Walter Jellinek, *Die deutschen Landtagswahlgesetze* (Berlin, 1926).

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secured a certain percentage of the vote.[59] The Reichstag electoral law has continued to require only 500 signatures to a petition.[60] Unfortunately, in a series of cases presented to it by several of the aggrieved parties, the Supreme Court declared the new state requirements unconstitutional.[61] Thereupon, a movement was started in the Reichstag to change the constitution so as to permit legislation of the sort desired, i.e., to prevent the small groups from cluttering up the ballot and making popular government difficult. Up to the dissolution of 1928, the parties were unable to agree; but the matter is still under consideration, and it is thought that within a short time the requisite constitutional authority will be given. In recent elections, hundreds of thousands of votes have been wasted on the "splinter parties," with the result that greater confusion has been produced in the minds of the voters.[62]

## IV. PARTY TENDENCIES

A recent writer has observed that "politics in Germany are, after all, a mental state—a *Weltanschauung*— and are not easily adaptable to change or circumstances."[63] This was undoubtedly the case before the war, a period referred to by Spengler as the time of "classical programs." Even today, parties constantly refer to themselves as "*Weltanschauungsparteien*," and occasionally the doctrines of some come into open conflict with the doctrines of others—a state of affairs which means absolute stoppage of action.[64] The recent conflict over the *Reichsschulgesetz* is a good illustration.

[59] The Reichsministerium des Innern prepared a *Denkschrift* in 1928 for the ministry which summarized all these features of the various state electoral laws.

[60] G. Kaisenberg, *Die Wahl zum Reichstag* (Berlin, 1924), p. 19.

[61] These cases are discussed in *Archiv des öffentlichen Rechts*, vol. 15, no. 1, pp. 99–139 (1928).

[62] In 1928 the Wulfmeyer family formed a party which was called "Law and Renter's Protection party." As the *Deutsche Allgemeine Zeitung* remarked: "Here is real anarchy—every family its own party!" One group whose list was finally thrown out called itself "*Ganz parteilos für des Volkes Wohl.*"

[63] H. G. Daniels, *The Rise of the German Republic* (N. Y., 1928), p. 85.

[64] *Germania*, the official organ of the Center party, in its issue of April 21, 1925, said: "Weltanschauung und Politik lassen sich nicht trennen. Diesen Satz hat keine Partei entschiedener und konsequenter vertreten als das Zentrum. . . . . Das Zentrum is also ausgesprochen Weltanschauungspartei."

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The whole tendency of German parties is in the direction of becoming representatives of particular economic or class interests. [65] In the economic and social world there has been a very rapid development of organizations of one sort or another to represent the workers, the officials, the peasants, the employers, the various professions, and what not. These organizations are almost without number. They exist for the purpose of furthering the interests of their groups. With the growth in the powers of government and the assumption by the state of control over vast fields of economic activity, these groups, to achieve their ends, must operate by and through the agencies which carry the government, namely, political parties. If the peasants find themselves in a critical condition, they beg the government for assistance, and they bring the pressure of their membership to bear upon certain parties which they have generally supported. The great organized trade unions, whether *Freie Gewerkschaften* or *Christliche Gewerkschaften*, operate similarly through the two parties which they practically dominate.

Such influence is not merely periodic. It is not brought to bear upon parties merely in times of crisis. It is a constant influence which has come to affect the life of political parties very vitally. As a keen German observer has written: "Everyone who observes public life must recognize the ever-increasing preponderance of these organizations, must recognize how the power of political parties is becoming more and more restricted, as these interests which stand behind the parties prevail more and more in political actions. One must see how the declarations of the pressure groups cease to amount merely to expressions of opinion not binding upon the parties and the candidates, as the candidates become representatives acting for the various pressure groups."[66]

Characteristic of the development of political parties as parties of interests is the specialization of their programs so as to appeal, not to the entire electorate, but to particular

[65] Koellreutter, *op. cit.*, pp. 55–61.

[66] Lederer, "Das ökonomische Element und die politische Idee im modernen Parteiwesen," in *Zeitschrift für Politik*, vol. 5, p. 535 ff.

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interests in the electorate.[67] The program of the Economic party is an excellent example of this tendency,[68] and the numerous small parties which have come into being in the Reich have shown a similar disposition to appeal to particular interests, such as the renters, the house owners, and the small peasants. Nor is this tendency limited to the lesser parties. One needs only to study the composition of the electoral lists nominated by the larger parties to appreciate the great power of economic and class interests in them also. It would seem that a candidate's place on his party's list depends very largely upon the strength of the particular interest which he represents in the party. It would be a most profitable study, and one which would uncover the springs of party control and party action, to analyze the *Wahlvorschläge* of the various parties in several elections in order to ascertain the economic interest which each candidate represents, together with the place on the list which such candidate secures, and to find whether this place is in proportion to the power of that interest within the party. The writer is not here raising any question of propriety. He is merely pointing out how various interests bring influence to bear upon political parties to secure the nomination and election of representatives who will be favorable to their requests. The making of the party lists has now come to be a highly developed art, though one not generally appreciated. Only now and then are there complaints loud enough to attract public attention.[69] The party managers seemingly understand their jobs.

It is very difficult to determine the exact significance of the development just described. Are the interests served at the expense of the mass of the people, or are the political parties sufficiently representative of and true to the desires of the whole nation to yield to economic or social pressure only when

[67] Koellreutter, *op. cit.*, p. 41.

[68] See the *Handbuch der Wirtschaftspartei des deutschen Mittelstandes für die Reichstags- und Gemeindewahlen 1924.*

[69] In the spring of 1928 the People's party was unable to nominate Dr. Hans Luther as had been desired because of the insistence of one of the strong elements in the party that its representative should have the place intended for Dr. Luther.

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to yield is to benefit the people? It is notorious that lobbyists of the American variety are not needed in the German Reichstag, for every important interest is represented in that body by at least one member. *Reichstagsabgeordeneter* so-and-so is a director in a great industrial establishment; another is secretary of the Wine Growers' Association; another is a district secretary of a powerful trade union. Lobbyists are obviously not required. Just what influence these members have upon their parties, and how much outside influence is brought to bear upon the party leaders by the interest affected, it is difficult to say. Clearly this is a problem of great importance to a free people. The relation of the party organization and the party process to the economic organization must be reckoned as one of the prime factors in the future adjustment and adaptation of the German party system.[70]

No discussion of any phase of German political life would be complete without some reference to the official bureaucracy, which has performed the work of government in Germany with great distinction. The adoption of the Weimar constitution has not resulted in any change in the rights of the officials. Article 130 affirms that "the officials are servants of all the people and not of a party." This provision was inserted to prevent a politicising of the government services and to protect the status of the government officials. Unquestionably, these officials have been the backbone of government in Germany, and although they are now serving a democratic republic whereas formerly they served the monarchy, their position is still unassailable, and they constitute probably the greatest single factor in government. The development of parliamentary government in Germany has not succeeded in making subservient *Das Beamtentum*, as the Germans call the official class.

In Germany, ministers do not have to be members of Parliament. As *Fachminister*, or expert, one needs only the confidence of Parliament, without being a member of it; and it is

[70] This problem is not limited to Germany. The relationships between parties and interests is very important in England, France, and the United States.

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interesting to learn that since the Revolution of 1918 the number of *Fachminister* who are not members of parliaments, either in the Reich or in the *Länder*, has been on the increase.[71]

If the adoption of parliamentary government has not disturbed the position of the *Beamtentum*, how about the effect of the growth of political parties on these same officials? Have political parties been able to force the permanent civil service to become their servants, or is the permanent civil service putting limits upon the activities of political parties? The answer can readily be given. The officials have not become the servants of political parties, and quite clearly have been able to thwart any attempts to politicize the services.[72] In the cities, political influence has been greater than in the state and national government services, and a considerable change in the official personnel is gradually coming about. But in the national services the permanent officials continue to have a very great influence, and have been able to guard their independence. Party favoritism is, of course, present, and a number of the higher positions are given as rewards for party favors. A political minister naturally must have the power to name his most intimate advisers. Aside from such positions, however, party considerations are not determining. The official hierarchy remains strongly entrenched and highly respected. A strong barrier thus exists to put limits to purely political actions. Democracy is checked.

There exists, therefore, in Germany what might be called a balance wheel, which has the effect of correcting some of the excesses in which political parties are prone to indulge. It is difficult in Germany to determine when a political party has a popular mandate to do something, but even when it is clear that a party has such a mandate, there remains the official bureaucracy, which has the power to alter, if not to reject. The same high respect is paid to the official class as before the war, and it is one class which, since the law of 1928, is relatively well paid.

[71] *Jahrbuch des öffentlichen Rechts*, vol. 13 (1925), p. 165 ff.

[72] See the excellent discussion of the question in Koellreutter, *op. cit.*, pp. 78–86.

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Two other questions about the German party system should be raised. The first relates to the participation of women in public life; the second to the political education of leaders and people. Recalling that until the Revolution of 1918 women did not have the right to vote in Germany except to a limited extent in certain local elections, one should not expect the feminine influence as yet to have become very great. Nevertheless, many outstanding women leaders have been developed.[73] All the parties carry on activities among women[74] and occasionally elect women to office.[75] The number of feminine office-holders, however, is not imposing. In the Reichstag there have been, on the average, only thirty women members, half of these belonging to the Social Democratic party. Even in this party, out of a total of approximately 500 members of provincial Landtags in 1927, only twenty-six were women.[76] Additional illustrations would only serve to strengthen the statement that women have not been properly recognized in the new Germany. Undoubtedly their lot has been improved, and their influence is not to be laughed at. But the parties have not seen fit to give them anything like an equal status with men. Leaders have observed that it is very difficult to elect women to office; and such is undoubtedly the case. Were it not for the list system of proportional representation, there would not be as many women legislators as at present. Under the existing law, parties can insert the name of a woman in a party list and the voters may not be aware that the name is there. It might be remarked further that a party almost always has one or more women on its party list, but they are usually far down on the list, without much chance of election.

[73] For instance, Dr. Gertrud Bäumer, the leader of the German women's movement.

[74] Every party has a *Reichsfrauenausschuss*, with sub-committees in each district of the country. National conferences of women members are called at least once a year.

[75] The following are a few of the women members of the Reichstag: Dr. Bäumer, Dr. Lüders, Neuhaus, Philipp, von Sperber, Juchacz, Schroeder, Dr. Matz.

[76] *Jahrbuch der Sozialdemokratie*, 1927, p. 219.

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Regarding the political education of leaders and people, much could be written. One of the interesting projects launched since the war is the *Deutsche Hochschule für Politik* in Berlin. This institution consists of some of the more advanced students of the University of Berlin who are bent upon further study in political science, as well as officials of the Reich, the states, and the municipalities, young diplomats, officers, teachers, editors, workingmen, and secretaries and leaders of political and economic organizations.[77] Courses are provided also in different parts of the Reich, and the Institute is thereby able to reach a large number of people. The whole project is very promising and indicates that the Germans appreciate the desirability of applying the scientific method to politics. A school similar to the Institute is to be established in Hamburg. Impetus is thereby given to training for public service. Such education is bound to be reflected in an improved personnel, not only in the government services, but also in the party bureaucracies. There is some evidence that party work is attracting a fair proportion of the able young people. As democratic government becomes more settled, and life assumes a more normal routine, this important phase of party development will come into clearer view.

## V. CONCLUSION

The first decade of self-government in Germany has sufficed to establish the fundamental features of the party system. During this period there has been a noticeable improvement in party spirit. There is still some bitterness, but members of the various parties have reached the stage where they can differ without becoming mortal enemies. In times of cabinet crises, no love is lost; but once the solution appears, members of opposite parties hob-nob with each other as before. The Communists and Hitlerites are still somewhat wild and uncontrollable. Aside from these two irreconcilable groups, however, little disturbance is caused in legislative bodies, and there is nothing approaching the disorder of the French Chamber or the Czech Parliament.

[77] Dr. Ernst Jäckh is the director of the School. See his valuable little book, *The New Germany*, pp. 63–66.

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Even elections are calmer. Few meetings are broken up, and if at all, only by extremist groups. The bulk of the electors prefer order to disorder. "*Ordnung muss sein.*" Most election meetings are for the party members, and interruptions by intruders are frowned upon.

For several years there was much party warfare in the real sense. Various *ausserparliamentarische Verbände*, such as the *Stahlhelm* and the *Reichsbanner*, acted as the shock troops of their respective parties.[78] When the *Stahlhelm* proceeded to break up meetings of the parties of the Left, these parties organized the *Reichsbanner* for their protection. Several pitched battles ensued. Today, however, even though these organizations still exist, and meet regularly and parade—they do not exert much influence. Still, German politics has not yet returned to normalcy, and such organizations cannot be dispensed with completely.

It is hazardous to speak of the future. Although the fundamentals of the party system now appear to be fixed, much depends upon the events of the next few years. An especially weighty factor is the future of the Center party.[79] Standing as it does midway between the Right and the Left, this party prevents a merging of all the parties into two large parties.[80] The Center is made up of both Left and Right adherents, and without its aid no cabinet can be erected. It has therefore been in every coalition since the formation of the republic. As long as it remains a separate political entity—and there are no signs that it will cease to do so—Germany can hope for a two-party system, but is not likely to attain it. There is now really a five-party system, and from all indications such a system will continue, whether P. R. continues or not.[81] The fact is that Ger-

[78] See *Das Junge Zentrum*, vol. 4, no. 3, pp. 58–72 (March, 1927), for a discussion of these organizations.

[79] See Georg Schreiber, *Politisches Jahrbuch*, 1925, p. 47.

[80] Consult the article by Hermann Port on "The Two-Party System and the Center Party," in *Hochland*, vol. 22, pp. 369 ff. (1924–25).

[81] With an electoral system similar to the German, Austria has but three parties.

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many never has been a two-party country, and with existing fundamental cleavages is not likely to become one.

In certain circles there is strong opposition to partyism in any form. "Why have any parties?," asks the *Jungdeutsche Orden*, seeing in parties the main cause of all that is wrong. Why not a state modelled after the ideal of Freiherr von Stein—a real people's state, but not a democracy, and not a party state? There is much sympathy with this viewpoint. But such an ideal seems impossible of realization. Democratic government must have parties; and since Germany has determined to have democratic government, it has already answered the question as to whether it will have parties.

To summarize, Germany has developed a party system which is unique in the world. As in England and America, strong and more or less permanent parties have been formed. In contrast with France, where there is also a multiple-party system, the Germans have formed political parties which are not volatile, evanescent groupings. The Czechoslovak parties do not furnish a very close comparison with the German parties, because they are not so well organized, are much more numerous, and are less permanent. The three parties in Austria are not unlike their counterparts in Germany, so far as organization and work is concerned, but the system operates in an entirely different way. Nowhere in the world can one find stronger and more effective party discipline than in Germany, and only in England can one find party organizations so well developed. Not even in England does the party machinery function more smoothly than in the Reich. Using the British party system, perhaps unconsciously, as a model, the Germans have worked out a system of their own which is accomodated to their needs. The whole country is covered with a network of political organizations, each constantly directed by a machine as strongly entrenched as any in the world.

Political independence is, therefore, not very highly developed within the parties, and in legislation, party has a controlling force. In administration, the party influence is successfully checked, although not completely eliminated. The official

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bureaucracy, as powerful as before the war, serves as a sort of balance wheel to political action. Despite the presence of nine parties, there is considerable overlapping in party programs, indicating that even in a multiple-party system it is difficult to develop clear-cut differences between parties. Due to present legal requirements, the country has been afflicted with too many "splinter parties." But this affliction will not be permanent. The constant party activity which is going on has already had the effect of arousing the political consciousness of the people, and has been responsible for a highly creditable popular interest in government, and for satisfactory popular participation in elections.[82] Finally, the tendency of German parties to represent class or economic interests is very marked.

These are observations upon a party system only ten years old. During the decade in which it was developed, Germany was hard pressed with internal and external difficulties. Problems of government could not, therefore, be considered adequately. Despite these trying conditions, the Germans have made a remarkable start in developing the machinery necessary to keep a democracy going. Although party relationships are still somewhat in a state of flux, the fundamentals of the party system as outlined above are now quite definitely fixed. Germany is, and will probably remain, a country with many parties, the organization and activities of which will be worth watching as significant experiments in the life of a great democracy.

[82] Professor Wells has written a brief, but excellent, article on "Non-voting in Germany," which appeared in The *Historical Outlook*, vol. 19, pp. 267–269 (October, 1928). The article explains Germany's voting record.

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# THE BRITISH POLITICAL SCENE SINCE THE GENERAL ELECTION

ROGER H. SOLTAU
*London School of Economics and Political Science*

A general election has been aptly compared to an instantaneous photograph of a galloping horse. It is a static representation of a public opinion that is by its very essence perpetually changing, and a newly elected House of Commons has not yet met before it is in a sense out of date and no longer fully representative. Even if a general election photograph had permanent significance, it would be open to the criticism of inaccuracy at the time of taking. Readers of this *Review* are aware of the misleading character of the British electoral machine—of the fact that whenever more than two candidates contest a constituency, the one elected may very well represent but a fraction over a third of the electorate; so that election statistics show a serious discrepancy between the distribution of votes and the allocation of seats.

On the eve of dissolution, the House of Commons comprised 400 Conservative, 162 Socialist, and 46 Liberal members, with seven Independents. The new House comprises 289 Socialists, 260 Conservatives, 59 Liberals, and seven Independents.[1] This distribution of seats, we have said, does not accurately correspond to that of votes cast, since the Socialists polled 8,370,005 votes, the Conservatives 8,641,170, and the Liberals 5,295,308. The usual explanation of the discrepancy is that the Labor party had all the luck of the three-cornered contests in which a minority candidate was returned. This, however, happens to be false; that luck went to the Conservatives: of 313 successful "minority" candidates, 153 are Conservatives, 122 Socialists, and 38 Liberals; while of 291 seats held by a clear

[1] These figures vary slightly according to the classification given to certain Independent members, who are usually in fact closely connected with one of the three parties.



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majority, Socialists have 166, Conservatives 105, and Liberals 20.

A more satisfactory explanation is the fact that the Conservative party can claim the allegiance of the vast majority of plural voters, i.e., of those entitled to two votes either because of having a university vote or of having residential qualifications in two different constituencies. The ignoring of the plural vote would probably make the Conservative and Socialist votes about equal, so that their relation to the Liberal party is expressed accurately enough by the figures 8-8-5, and that of their seats by $5\frac{1}{2}$-$4\frac{1}{2}$-1. The discrepancy still remaining is really due to the fact that the Conservatives still have the greatest number of safe strongholds in which they can count on enormous majorities, though electing only one candidate. The Conservative grip upon such counties as Surrey, Sussex, most of Hampshire and of Kent, and over "dormitory" suburbs, is evidently still unshaken. There are about 150 constituencies in which the Socialist or Liberal candidate has not as yet the shadow of a chance; the number of industrial seats which are the safe preserve of Socialism is nothing like as large; and, speaking generally, Socialist majorities were smaller than Conservative, although more numerous. Hence the fact that it took fewer votes (29,000) to elect a Socialist than a Conservative (31,000). As to the position of the Liberals, it is of course easily explained by the large number of candidates polling a considerable number of votes but coming in bad seconds or thirds.

Important as it is, it should be remembered that this discrepancy is nothing like as serious as those which characterized previous parliaments. It is unnecessary to burden readers with a mass of statistics; the following figures are both simple and eloquent:

| *Election* | *Percentage obtained of total number of votes cast* | | | *Number of seats obtained* | | |
|---|---|---|---|---|---|---|
| | *Con.* | *Soc.* | *Lib.* | *Con.* | *Soc.* | *Lib.* |
| 1922 | 38 | 29 | 30 | 347 | 142 | 114 |
| 1923 | 38 | 30 | 30 | 253 | 191 | 157 |
| 1924 | 48 | 32 | 18 | 420 | 151 | 40 |
| 1929 | 38 | 36 | 25 | 260 | 289 | 59 |

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From this it is clear that if we except the "Moscow scare" swing-over in 1924, post-war Conservatism has been a static force and that the growth of the Socialists has been at the expense of the Liberals. The increase in the electorate has thus had no appreciable influence on Conservatism, though it seems to have benefited Socialism more than Liberalism. In other words, ever since the war, Conservatism proper has formed in the country a large, strong minority which remains unshaken by Socialist propaganda, while Socialism has been steadily growing and Liberalism steadily declining. It is clear, therefore, that what has to be accounted for is not a Conservative *débacle*, nor any large shifting of public opinion. Everybody knew that the Conservatives could not hope to maintain the abnormal advantage given to them by the circumstances of the 1924 election; the only question was as to how much ground they would lose. Now all that has really happened is a return to 1922 and 1923, i. e., the loss of the temporary Liberal contingent stampeded by the Zinoviev letter. As it happened, the Conservatives found themselves in a parliamentary minority even smaller than in 1923; but they might easily have finally done either as well as then, or, better still, as well as in 1922, returning with a small clear majority. Just as a very small turnover one way could have yielded a clear Socialist majority, so a small turnover the other way would have seen Mr. Baldwin's "triumphant" return. Three-figure majorities in constituencies numbering thousands of electors are really very meaningless.

The Conservatives' "failure" therefore amounted to this: they failed, first, to retain the support of right-wing Liberals; second, to win from their allegiance regular supporters of the two parties; and, finally, to secure more than about a third of the new young women electors politely called by the yellow press "the flappers." Now this triple phenomenon, whatever its exact causes, could have been foretold, and was in fact expected, by most serious students of the situation, and it reveals nothing that need cause the high-priests of the party to cry out and cut themselves with knives, or to seek for propitiatory victims. It only indicates that under a three-party system there

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can normally be no clear majority for any one, and that the appeal of Conservatism is now clearly limited to certain definite classes of the population—those who are afraid of any drastic alteration of the present property system and opposed to any widespread interference of the state in economic affairs (this in common with a number of Liberals), but believe that protection would prove a valuable remedy for the present distress of British industry and are suspicious of such developments in international coöperation as might seem to weaken seriously the British Empire's unity and control over its own affairs (here separating themselves from the Liberals). None but the blindest believer in the divine right of Conservatism could really expect this program to sweep the country. It would seem, on the contrary, that cool, critical judges should be well satisfied that what was at best a somewhat cautious and negative policy should still hold to their allegiance nearly four electors out of ten, particularly when the party was fighting what all knew to be a difficult, defensive battle after a not over-glorious tenure of office, in a period of acute trade depression and discontent, and with Liberalism making a desperate and unprecedented effort to regain its old ascendancy. What the Conservative party must now do is to resign itself to the fact that, under the present system, it is, like the two others, but a minority in a country which is no longer "Conservative at heart," as some Tory papers still like to call it—if it ever was.

From all this it is also clear that we are not called upon to explain any "going over to Socialism" on a large scale. The Labor party again increased its poll, both in its total and in its proportion to the electorate, as it has done in every election since its foundation, and has therefore every reason to be satisfied, quite apart from its luck in the distribution of seats. This steady increase probably represents an increase in actual believers in Socialism, particularly among the middle class; but many of the new supporters are people of no strong party allegiance, who, being distinctly hostile to Conservatism, preferred, on the whole, to trust Mr. MacDonald rather than Mr. Lloyd George with a policy of free trade, international coöperation,

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and somewhat bolder measures in dealing with unemployment.

The real meaning of the election is, therefore, not so much the "defeat" of Conservatism as the obviously final displacement of Liberalism by Labor as the chief Left party. The figures already quoted are significant, and the process is not likely to be seriously checked, much less reversed. Electoral reform may give the Liberals more seats, but there seems no reason why, at any subsequent election of the next few years, they should poll many more votes.

It is true, of course, that the Liberal party went to the battle with certain handicaps, of which the personality of Mr. Lloyd George was not the least, and another the possible reluctance of many to support a party that really had no chance of getting back into power: "a vote given to a Liberal candidate is a vote wasted" was both a Conservative and a Socialist slogan. But these handicaps were more apparent than real; the party had enormous funds and had been carrying on, long before the election, far more thorough propaganda than either of the others; the leadership of Mr. Lloyd George was unanimously accepted, even by some of the most severe critics of his war record; the party program was, if anything, bolder and more radical than that of Labor, and could reasonably have been expected to make a strong appeal to hundreds of thousands who were both dissatisfied with Mr. Baldwin's record and suspicious of the alleged revolutionary tendencies, if not of Mr. MacDonald, at least of his more extreme supporters.

The Liberal expectations of a "sensational revival of trust in Liberalism and a general desire to see the affairs of the nation once more placed in the hands of a Liberal administration," to quote Mr. Lloyd George's election address—the *Nation's* forecast of well over 130 Liberal seats[2]— could apparently be defended without unreasonable optimism. There is, therefore, a definite Liberal failure to account for. First of all should be mentioned lack of leadership. The distrust in which Mr. Lloyd George is now widely held extends in many minds to those other

[2] Which, of course, they would have had, and fifteen more, had their seats corresponded to their actual poll.

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prominent Liberals who are prepared to accept his leadership in spite of the dis-services he has rendered to the Liberal cause since he superseded Mr. Asquith in 1916. Closely allied to this is the fact that no one of these other leaders is capable of a strong popular appeal: Samuel, Simon, Muir, Keynes—all able, conscientious men, clear thinkers—but not chiefs of a people's party; and while no party can hope to succeed without some men to supply the cold, clear thinking, it must also possess men capable of challenging people's hearts as well as their heads.

Another very important point will take us deeper into national psychology, to use that much-abused term. All students of British politics know that ever since the days of Gladstone, and even earlier, the Nonconformists have been the backbone of the Liberal party. This is no longer true, and for two reasons. In the first place, the village chapels have, in many cases, gone over to Labor. Many a "local preacher" who in 1905 was an apostle of Liberalism has moved on to an allegiance which to him represents more truly the moral fervor and spiritual zeal for which Liberal Radicalism stood a quarter of a century ago. The more conventional suburban Nonconformist, on the other hand, is now as likely as not to vote Conservative, unless he be an ardent free trader or an exceptionally zealous internationalist, and this because there is no longer a political cause to be identified with Nonconformist interests.

The Liberal-Nonconformist pact was a reality as long as the political party stood for the recognition of certain rights claimed or defended by the non-established churches. But these issues are dead. Not only are the bitter education controversies of 1902-10 now forgotten, but the social inferiority from which Dissent suffered is now largely a thing of the past. Only in a few villages, or in exceptionally exclusive circles, is Nonconformity in any sense a social or political disability.[3] Having won its battle, it no longer needs a champion.[4]

[3] The spirit of unity created by the war was the real destroyer of the barrier that divided the Church from Dissenters. Even disestablishment is no longer a live issue among the latter; it is demanded only by some of the Catholic sections of the Anglican Church.

[4] The areas in which Liberalism remains strong are precisely those in which

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One should, however, go deeper still. To a large extent, it is not only the Liberal-Nonconformist alliance that has disappeared; it is the "Nonconformist conscience" itself. Along one line it may be said that it has so profoundly influenced national life as a whole that its expression is no longer the monopoly of one party or of one church; but it can also be argued that many of the tenets and principles which used to be associated with it are no longer held by any save a small and rapidly diminishing fraction. In so far as the term really meant Puritanism, it has lost all significance: what remains of good in the Puritan tradition is no longer specifically Nonconformist; and on its narrower, less admirable side it is no longer a social force.

The Liberal party is thus no longer able to count on the unquestioning support of the Dissenting churches, even though Mr. Lloyd George remains an ardent chapel-goer. Nonconformity not only supplies much of the Labor contingent; it has given the Conservatives a premier (Mr. Bonar Law) and many ministers (including those from the Chamberlain family). The last remnant of identification of church with party may thus be said to have disappeared; it had in fact disappeared before the last election, as was shown in the non-party divisions over prayer-book reform and the utter collapse of the very feeble attempt then to revive disestablishment as a political issue. Another illustration of the same point is the existence of the Socialist Roman Catholics—a combination that would be unthinkable on the Continent.

Before we pass on, one point should be noted and dismissed. The Conservatives contend that the election showed a clear anti-Socialist majority—fourteen million votes to eight million, 320 seats to 290. (It may, in fact, be admitted that this majority is even larger, since some of the Labor vote can scarcely be described as "Socialist"). But "Socialism" was in no sense the dominant issue. That issue was, rather, the continuation of Conservative policy; and in that sense the Conservative representa-

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there remains a strong Nonconformist tradition—Cornwall, Devon, Bedford, East Anglia.

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tion of 260, with eight and one-half million votes, as against an anti-Conservative representation of 350, with thirteen and one-half million votes, is fairly exact. The most cursory study of the Liberal press, both before and since the election, shows that Liberals thought Mr. MacDonald a lesser evil than Mr. Baldwin; and one Liberal candidate after another has declared that, had he not stood, most of his poll would have gone to the Socialist candidate—which is to say that the institution of the "alternative vote" would at present secure the election of an anti-Conservative candidate in nearly every constituency where the Conservatives had no absolute majority(and we have seen that there are 153 of these). This is not to deny, of course, that at some future election Socialism or no-Socialism may become the dominant feature; and how the present Liberal forces would then divide themselves it is impossible to predict.

Putting aside party considerations, we can now analyze the national verdict in its general lines and say that the country very definitely thought Conservative policy to have been too passive against unemployment, too much afraid of socialism to use state funds and credit for employment schemes instead of paying out millions in relief, too timid in its half-hearted attitude toward disarmament and arbitration, too cold to its friends in the United States,[5] too warm toward nationalist tendencies in France and Italy, foolhardy in its handling of the so-called general strike of 1926 and in the passing of the Trade Disputes Act of 1927—cautious, in a word, where it should have been bold, rash where it should have been wary; while its choice as an election slogan of "Safety First" showed a deplorable lack of psychological imagination. What it did, in a word, was to forget youth. It put middle age in its safe seats and in its positions of responsibility; it put forward a program of middle-aged staidness, and forgot that it was not appealing to the middle-aged electorate. From this it is clear that Mr. Garvin is right when he proclaims in the *Observer*, first, that "however good your record may be,

[5] "Nothing whatever did the late Government so much harm as the feeling which spread throughout the country last year that they had a chilling and unlucky touch in Anglo-American relations." *Observer*.

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it is better to fight chiefly on your program when you are asking democracy to entrust you with a renewed term of power for five years to come;" next, that "while there is every hope in the revival of a wider Unionism, in Conservatism by itself there is absolutely none." Will that "wider Unionism" be the present Conservative party reconstituted and reformed? Will it be, as some demand, "a new Constitutionalist party to embrace all that is best in the defunct Unionist and Liberal parties to combat Socialism?" No one can tell. But we venture to prophesy that no drastic reorganization of parties is likely to take place as long as the present electoral system remains. Such changes, if really far-reaching, would not be unanimous, and a divided Conservative party would be helpless before its rivals. Under proportional representation things might be different; but the problem would then arise as to who was the true heir to party funds and machinery—a problem that party reformers can never ignore.

We may pause here to ask whether the present electoral system—the present gamble—is to be retained; or whether the three parties will unite on such a scheme of proportional representation, alternative vote, etc., as would give an exact mathematical ratio between votes and seats obtained, or at least some approximate equality that could be generally accepted. It is evident that such a reform is to the *immediate* interest of only the Liberal party. Conservatives and Socialists have each upon occasion experienced the luck of the present system and would not be unwilling to trust to luck next time. The former see, of course, the danger of the next time yielding a Labor majority in Parliament on a minority total poll, as nearly happened this time; while the Socialists also see the danger of a repetition of 1924. But both Conservatives and Socialists see clearly enough that the present system means death to third parties, and that it must ultimately force the Liberal voter into one of the other camps; for people will soon get tired of throwing their votes away on candidates who have no chance of being elected. If a return to the two-party system is the real need of the day, then "hands off the present system" is the obvious policy; and it can be success-

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ful, provided Mr. MacDonald and Mr. Baldwin agree to resist any offer of Liberal help against the other in exchange for electoral reform. The superficial advantages of the two-party system are too obvious to need repeating. So are the drawbacks of proportional representation. It need only be pointed out that the latter would not only perpetuate the three-party system and probably rule out for many years the possibility of a clear majority in country or Parliament, with the inevitable ministerial instability, bargaining, etc., but that it would very probably lead to the formation within the main parties of groups claiming distinct representation and rapidly turning into parties proper. It is no exaggeration to say that only the compelling need of electoral unity keeps together the very heterogeneous elements that make up existing parties.

Before zealous Conservatives and Socialists decide on the retention of the status quo, with the implied death-warrant of the Liberal party, they should realize, however, that by so doing they are not killing Liberalism as a tradition and as an outlook, but are rather absorbing it into their own systems. The disappearance of the Liberal party would mean, not that of the Liberal voter, but only his support of Conservative or Socialist policies, not out of genuine conviction, but as the lesser of two evils. Is this likely to make for clarity in politics? Further, will not these half-hearted supporters act as a brake on any resolute policy, Conservative or Socialist? In a word, will the change not mean, to a large extent, the liberalizing of both parties?

To this argument, cogently set forth by Mr. Brailsford in the *New Leader* for July 5, the only answer to be made is that much the same is bound to happen under any scheme of electoral reform. The real point of such reform being to prevent any party from gaining artificial strength at the expense of the other, and particularly at the expense of the Liberal party, no clear majority is likely to emerge, and Conservatives or Socialists will have to depend for their exercise of power upon the tolerance, if not the active support, of the center party, i. e., they will have to carry out a Liberal policy—which is virtually what Mr. MacDonald has announced his intention of doing. Whether it is

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better for this Liberal influence to be exercised openly by votes in the House, or secretly by influence within nominally Conservative or Socialist party councils, is an interesting question. From his allusion in the King's Speech to electoral changes, Mr. MacDonald evidently means to see, at any rate, whether electoral honesty be not ultimately the better policy for everybody; and be it noted that he can at the same time deal a shrewd blow to the Conservative party by the suppression of plural voting and of non-geographical constituencies like the universities.

"The new parliament," we quoted the *Daily News* as saying, "will be very different from the old;" and it is interesting to note how different its social personnel—apart from its party composition—indeed is.[6] The number of soldiers, sailors, big business men, and rentiers is the smallest ever known; the number of lawyers is less by half than in any previous parliament since 1832; while trade union officials number 150, which is quite out of proportion to any previous figure. Barely a tenth of the House belongs to the hereditary aristocracy, instead of the usual fifth. The six great public schools have 121 representatives, as against nearly 200 formerly; the number of Oxford and Cambridge graduates has diminished by half. There are six clergymen and 24 teachers—a high figure in both cases— and a record number of fourteen women (eight of independent means, two trade unionists, one doctor, one writer, one teacher, one party official). Finally, only 132 members are entirely new to Parliament, and more than half (331) have had experience in local government.

Other features that are worth mentioning are the smallness of the Communist poll (300,000), the defeat of many of the most promising young Conservatives, and the defeat of the opponents of drink traffic limitation. Whereas practically all "temperance stalwarts" (of all parties) were returned (including Lady Astor), the candidates backed by the *Morning Advertiser* (the official organ of "the trade") were nearly all defeated. The "Fellowship of Freedom and Reform," which is a body formed for opposing local option, saw six of its vice-presidents defeated, and the solu-

[6] I am indebted for the details following to an article by Professor Laski in *Time and Tide* for June 7.

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tion of the major problem along lines of local option is one of the most likely results of the election.

To turn now to the future, one thing seems clear, i.e., that no one wants another election soon, so that the party which precipitated such an election by a shortsighted defeat of the Labor cabinet would appear in a very unpopular light. No one desires a return to the kaleidoscopic elections of 1922, 1923, and 1924. Not only so, but it is evident that for his present program Mr. MacDonald can count on the support of practically all Liberals and not a few Conservatives. At home, no bold measures which he may suggest are likely to go beyond proposals made by the Liberals last May and endorsed, if practicable, by a considerable section of Conservative opinion. The handling of the situation in the coal fields and in India is likely to be difficult, but the Premier may well prefer to disappoint some of his extreme supporters rather than to try to force through policies doomed to a united opposition on the other side of the House. As to foreign affairs, neither in disarmament nor in arbitration nor in the evacuation of the Rhineland is Labor policy likely to go any further—or faster— than general public opinion will sanction.

Mr. MacDonald and his party will thus be given a very fair chance—not merely for the sake of national stability, or of "fair play," but because many people outside his own party trust his personal character and are not sorry to see a change of governmental teams. It may well be, in fact, that the most dangerous of his enemies will be those of his own household. His repudiation of extremism before and during the election, his exclusion from office of one of the ablest of his 1924 lieutenants, Mr. Wheatley, the studiously moderate tones of the King's Speech—all these have already awakened the criticisms of Mr. Maxton and the Labor left wing, many of whom believe Labor should not have taken office without a clear majority and a clear road to "socialism in our own time." The opposition of this group would, of course, be offset by an increased measure of Liberal support in the present parliament. But such a division in Labor forces would be fraught with serious dangers when it came to making a fresh bid for electoral support in 1934, or earlier.

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The successful carrying out of government by a minority cabinet implies, however, some conditions which may involve considerable changes in constitutional method. It is clear, in the first place, that no resignation must be offered or expected save as the result of a defeat on a major issue. The separating of divisions into those involving a deliberate vote of "no confidence" and those merely indicating disagreement with the government on a point of secondary importance not only would contribute to stability but would increase the freedom of the individual member, relax the over-anxious control of party machine and whips, and restore reality to debates in the House. Sir Herbert Samuel, replying to the Premier's suggestion that they should "consider themselves" more as a council of state and less as arrayed regiments facing each other in battle," so that "this parliament should more than previous parliaments act rather in its corporate capacity instead of considering it always necessary to divide itself on customary party lines," pointed out that for this to happen "the government must not look upon every question as a question of confidence . . . . so that disagreement should not entail resignation"—this implying that the Liberals would comply with that condition.

Sir Herbert Samuel here added a few significant words: "So that disagreement should not entail the resignation of the government and *the possibility of a dissolution of Parliament.*" Now the right of a defeated prime minister to dissolve Parliament, however shortly after a general election, and before any recourse had been made by the sovereign to any other party leader, has been held hitherto to be one of the fundamental prerogatives of premiership, successfully upheld in 1923 and 1924. To vote against a government meant risking a dissolution and the loss of one's seat, so that such adverse votes would not be given lightly. But Sir Herbert clearly implies a departure from the tradition and says, in effect, that if defeated by a deliberate vote of a united opposition, Mr. MacDonald should be prepared to resign and let someone else try to form a ministry.

If parliamentary, as opposed to ministerial, responsibility be indeed the chief consideration, such an innovation is all to the

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good. But it is easy to object that it would tend to make British politics approximate to French, wherein defeated ministers invariably resign and parliaments invariably go on to the end of their legal duration, with the result that deputies, secure in their tenure, are apt to play fast and loose with ministries, and that the right of a defeated cabinet to dissolve is now urged by many would-be constitutional reformers. In spite of the objection, however, there would seem strong reasons why the policy advocated by Sir Herbert should be tacitly agreed upon by all three parties. French analogies are, after all, misleading, the existence of numerous groups and of a plethora of would-be premiers creating a situation quite different from that bound up with the rigid three-party organization of Great Britain, with its strictly limited scope for party combinations and ministerial ambitions. While it is too risky to tell definitely whether the constitutional revolution just described will be realized, it seems probable, at any rate, that the days of "snap" defeats are over and that governments without clear majorities will carefully distinguish between policies in which they frankly seek the coöperation, and therefore the criticisms, of the House and those which they make peculiarly their own, by which to stand or fall.

Another point on which interesting constitutional departures may be expected is that of the relation of the cabinet to the upper house. Labor lords number at present but nine, which reduces debate to a farce and throws on those nine an intolerable burden. Many suggestions are put forward to remedy this state of affairs. Complete reform of the second chamber is obviously one. But that cannot be effected in a day, particularly as a reform in the composition of the House of Lords is scarcely possible without raising the whole problem of the Parliament Act of 1911 and the relations of the two houses; and no Labor government will be anxious to increase in any way the present powers of the upper house.

Meanwhile Mr. MacDonald is being urged in some quarters to create some twenty Labor peers. But this is more easily said than done. To take them from the House of Commons

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would mean twenty by-elections; and even in selected constituencies this is an expensive and always risky business. If they are selected outside of Parliament, they can only be men[7] who so far have refused to stand for Parliament; for it would be obviously impossible to send defeated candidates to the upper house save in very exceptional circumstances. These Labor peers could, therefore, only be prominent people sympathetic with the party but not prominently identified with it, or else leaders of Socialist thought who have hitherto eschewed an active political life. There are not many of sufficient quality available in either category; and when it is remembered that accepting a peerage—and living up to it—is very expensive business, and that wealthy Socialists are very few, it will be realized that the creation of a large batch of Labor peers is fraught with many difficulties.[8]

It has been suggested as a way out that members of the ministry should, as in several other countries, be allowed to address both houses on matters connected with their departments. That would be an important departure from precedent,[9] but should raise no fundamental difficulties and would certainly ease the situation. It would not, however, solve the problem of the futility of upper house debates. The fact is that the problem of an hereditary second chamber working with a Socialist cabinet is insoluble.

It is clear, in conclusion, that the verdict of May, 1929, cannot be construed into a blank cheque either for revolution or for reaction. The general lines of policy will have to be approximately Liberal; and in a sense the Liberal party holds the key to the situation, although it cannot force any scheme

[7] Women are still debarred from sitting in the upper house, even if peeresses in their own right.

[8] A possible compromise would be the passing of a statute authorizing the creation of Lords of Parliament, sitting in the upper house, but without a peerage —on the analogy of the Lords of Appeal. But this legislation would require the consent of the upper house and is equivalent to permanent upper-chamber reform.

[9] It might, as in France, enable cabinet posts to be entrusted to non-members of Parliament.

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of its own against the united opposition of the other parties. It is also clear that the MacDonald cabinet is really in a far more secure position than would appear from its minority situation. Neither Mr. Baldwin nor Mr. Lloyd George is likely to turn it out to make the other king; and it commands the sympathy, and even support, of many in and out of Parliament who did not actually vote for it in May. It is more likely to fall through internal divisions, or through weakness in grappling with difficult problems, than from a concerted frontal attack; and neither division nor weakness is likely to appear for a considerable period of time—allowing always, of course, for the unexpected factors which Mr. Baldwin, with his swollen majority, was able to ignore, but which no prime minister can afford to neglect in the present state of British politics.

This much, at any rate, can be said—that the 1929 election probably marks what in British politics may be termed "normalcy," i.e., the final elimination of "war factors"—not, indeed, of the consequences of the war (these will endure to the death of all now living and after), but of those legacies of the war which tended to divert people's attention from real issues. The appeal to the Red Terror, the specter of Bolshevism, the consideration of world politics in terms of "allies" and "enemies"—all these distorting elements are gone. Gone also is the belief either in a swift, sudden revolution turning England into a Marxian paradise, or in a return to a blissful world of cheap living, peace in industry, and plentiful domestic service. Conservative, Liberal, and Socialist agree that society has to be rebuilt, and that the rebuilding cannot be the work either of one parliament or of one political party.

"Does the road wind uphill all the way?
Yes, to the very end.
Does the day's journey take the whole long day?
From morn to night, my friend."

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# LEGISLATIVE NOTES AND REVIEWS

EDITED BY CLYDE L. KING

*University of Pennsylvania*

**The Progress of Permanent Registration of Voters.** Bills providing for the permanent registration of voters, following substantially the recommendations of the Committee on Election Administration of the National Municipal League, were introduced at the legislative sessions of 1929 in Pennsylvania, Ohio, Indiana, Missouri, Michigan, and California. These bills were passed by the legislatures of Indiana, Ohio, and Michigan, but the Indiana bill was pocket vetoed by the governor. In New York and Illinois permanent registration was considered in connection with proposals to create a special commission to study registration and election administration.

*Ohio.* There has been a strong movement for several years in Ohio to secure permanent registration in the place of the present annual system which prevails in the cities of the state. In 1926 the Democratic and Republican parties endorsed permanent registration in their state platforms. At the legislative session of 1927 the Citizens' League of Cleveland, the Ohio League of Women Voters, and the Ohio Institute were active in promoting such a bill. In that year an election bill was passed by the legislature, including, among other changes in the laws of the state, a permanent registration of voters. Governor Donahey, although an outstanding exponent of permanent registration, was forced to veto the bill because of other features. At the legislative session of this year several permanent registration bills were introduced, one backed by the Citizens' League of Cleveland, another by the League of Women Voters, and a third by the Ohio Chamber of Commerce. These various bills were finally merged and became a part of a new election code, which was passed by the legislature and became a law. The Citizens' League of Cleveland and the League of Women Voters were particularly active in backing the measure, although other civic organizations of the state supported it. The election code was based upon a preliminary draft prepared by Mr. Mayo Fesler, director of the Citizens' League of Cleveland, and a committee on election laws created by that organization. It is estimated that the new election law will save the state approximately one million dollars annually.



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The new permanent registration law, which applies to cities of 16,000 population and over (it is optional for cities of smaller population), contains the following principal features: a general registration in every precinct at the start of the system, with precinct or central registration at the discretion of the county board of deputy supervisors thereafter; the use of card or loose-leaf records; the purging of the registration by the use of death reports, house to house investigations, cancellation for failure to vote within a two-year period, and other reliable information. The signature of the voter is required when he registers and also when he votes, thus making impersonation at the polls very difficult. The registration will be under the supervision of the county board of deputy supervisors of elections.

*Michigan.* The permanent registration act of Michigan will replace in 1932 the existing quadrennial system in cities of over 5,000 population. Cities and towns of less population may adopt the system. The old type of registration proved to be expensive, inconvenient to the voters, and not especially effective in preventing frauds. The records were cumbersome and obsolete, and a number of cities in the state had already adopted the use of a card system without statutory authority. Probably the greatest single defect in the old scheme was the failure to provide an efficient means of taking care of removals within the same city, which is very important in large cities.

The new registration law will not go into effect until 1932, for the reason that the current quadrennial registration will not expire until that time. One unusual feature of the law is the provision that the secretary of state shall instruct the city clerks concerning the necessary arrangements, procedure, and forms. He is directed to appoint an advisory board of three members, persons acquainted with election procedure in the state, to assist him in the preparation of such instructions. It is believed that by this provision the city clerks will be relieved of much of the work of planning to put the act into effect, and that more uniform and better administration will be secured than would be the case otherwise. It is assumed that the secretary of state will appoint outstanding election officials of different sized cities to be members of this board.

The new registration law provides for the usual loose-leaf or card records for registration, central registration at the office of the city clerk or election board throughout the year, transfers upon the signed request of the voter or upon reliable information, and thorough purging of the lists by use of death reports, transfers, cancellation for fail-

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ure to vote within a two-year period (after notice and opportunity for reinstatement), and a house to house investigation when necessary. The signature of the voter is required when he registers, and also when he votes. This feature, which is becoming a standard part of permanent registration laws, provides one of the most effective means of preventing voting frauds. Some opposition to this provision was raised in the legislature, where it was feared that it would slow up the voting. Mr. Oakley E. Distin, chief supervisor of the Detroit election board, convinced the assembly committee, however, that the signature identification at the polls as provided by the bill (the voter signs a certificate and presents it to the election officials) would actually hasten voting, since under the present system the election officers, not knowing exactly how a name is spelled when it is announced to them by the voter, often waste time in trying to find it rather than ask the voter to spell it. With the signature of the voter before them, there should be little or no difficulty.

*Indiana.* At the present time, Indiana is one of three states which do not require the registration of voters in any part of the state. In the other two states, Arkansas and Texas, the precinct election officers use at the polls a list of persons who have paid the poll tax, which corresponds somewhat to a registration list. Indiana was one of the last states to secure a registration law, for it was not until 1911 that the legislature enacted a registration law which was upheld by the courts of the state.[1] For more than fifty years the need of a registration law was felt,[2] and the legislature passed several acts, only to have them held unconstitutional.[3] The act of 1911 did not prove satisfactory, and the registration law of the state was changed by each succeeding legislature, until it was emasculated in 1921 by a provision for permanent registration, but a permanent system which was fundamentally defective in regard to records, procedure, and methods of purging.[4] This law proved unsatisfactory, and, largely because of the stand of the rural members of the legislature, was repealed in 1927.[5] At that time it was thought that the following legislature would take hold of the problem and pass a satisfactory registration law.

[1] *Session Laws*, 1911, p. 371.

[2] As early as 1861 Governor Lane urged the legislature to pass a registration law, pointing out the existence of election frauds. *House Journal*, 1861, p. 62.

[3] State v. Quinn, 35 Indiana 485 (1869); Morris v. Powell, 125 Indiana 423 (1890); Brewster v. McClelland, 144 Indiana 423 (1895).

[4] *Session Laws*, 1921, Ch. 273.

[5] *Ibid.*, 1927, Ch. 195.

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While the constitution of Indiana specifically requires the legislature to pass a registration act, it also requires election laws to apply uniformly throughout the state, thus necessitating the establishment of the same registration system for the largest cities that operates in the rural sections. This necessity has caused most of the trouble over a registration law. The rural members of the legislature could see no need of such a law in their districts and took the shortsighted view that election frauds in the larger cities did not concern them. In many states it has been the rural members of the legislature who have supported strict registration laws, particularly for the large cities, because election frauds in the cities often change the results of state elections.

Many citizens of the state were somewhat alarmed at the prospect of a primary and a hotly contested election in 1928 without the protection of a registration system. Some frauds were committed in the primary and the ensuing general election, but in the main they were avoided in the general election, principally by reason of the fact that each of the two political parties made a poll of the qualified voters in each precinct and used these lists at the polls to challenge persons whom they believed not to be qualified. While gross election frauds were thus prevented at this particular election, this procedure cannot permanently take the place of a registration system. In a particularly hotly contested election the parties can be relied upon to make such polls, but at other elections, especially at primaries, they cannot be relied upon to prepare such lists with any degree of thoroughness, and in many precincts the lists will not be made at all. The ease with which frauds can be perpetrated will soon become apparent, and gross frauds will become common unless precautions are taken.

Early in 1928 the Indiana State League of Women Voters decided to work for a sound permanent registration law, and the League has had a fight on its hands ever since. A special committee was formed to study the problem and to prepare a registration bill which would fit the needs of the state. This committee secured the assistance of Mr. Charles Kettleborough, of the Legislative Reference Library, and met in consultation with practical politicians of the state and with persons from outside the state. In August, 1928, a state institute on the subject was held, at which the tentative bill was explained and worked over by representatives from various parts of the state.

The bill as presented to the legislature provided for registration throughout the state, under the control of the auditor in each county. City and town clerks and assessors were made deputy registration

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officers and were empowered to take registrations and to forward the records to the county auditor. The assessors were to conduct the original registration by registering voters in their homes when making the assessment for 1930. The records, methods of purging, transfers, and other details were similar to those provided for in the Michigan and Ohio acts. The system would have been convenient to the voter, since it would have been permanent, and local deputies were provided to take care of removals and new registrations. At the same time, it would have been effective in cities in preventing frauds, for, in addition to other safeguards, the county auditors were authorized to conduct a house to house investigation when necessary, for all, or for any part, of the county. This provision introduced the element of flexibility necessary to make the law suitable for cities as well as for rural sections.

After a bitter struggle, the registration bill was passed by both houses of the legislature and was presented to the governor during the closing days of the session. It was killed by a pocket veto. Governor Leslie is reported to have said that the registration system provided would have been an excellent thing for the large cities, but he disapproved the bill because of the expense and bother entailed for the rural sections. A more convenient and inexpensive system would be hard to devise. Similar registration laws are in operation, with entire satisfaction, for rural sections in Oregon, Montana, and Nevada. The prospects for adoption of a registration law in 1931 should be considerably better, for it is quite probable that by that time voting frauds will have taken place in various sections of the state and that the need for such a law will be more apparent.

*Kentucky.* Kentucky has a permanent registration law, applying to Louisville and the other cities of the state, passed in 1922. This system, however, is fundamentally defective in many respects. No practicable means is provided for keeping the registers purged of dead weight; the records are highly impracticable for a permanent system; and the voters are not identified at the polls. In 1925 serious voting frauds took place in Louisville, and the election was set aside by the courts.[6] At the 1928 session of the legislature a permanent registration bill, based upon the National Municipal League report, passed the legislature almost unanimously, but was vetoed by the governor. Since that time the Louisville League of Women Voters, in coöperation with the

[6] See David R. Castleman, "Louisville Election Frauds in Court and Out," *National Municipal Review*, December, 1927.

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state league, has vigorously taken up the problem of securing a sound permanent registration law. At the suggestion of the Louisville League, the mayor of the city appointed a special commission to prepare a registration bill to be presented to the next legislature, which meets in 1930. This commission, consisting of the city and county attorneys and prominent representatives of the two political parties, has already prepared and published an admirable permanent registration bill providing ample safeguards against fraudulent voting. The measure will be presented to the legislature next year and stands a good chance of becoming law.

*Other States.* The Public Service Institute of Kansas City, Missouri, has led a movement for permanent registration at the last two legislative sessions in that state. The measure has been supported by the Kansas City Chamber of Commerce and by other civic organizations, but has been opposed by the political organizations and has twice suffered defeat. During the legislative session of this year the leading Kansas City papers gave very strong support to the bill, and the prospects for passage two years from now seem to be good. Kansas City at present has an obsolete quadrennial registration which is one of the most expensive systems in the country. A sound permanent registration would, it is estimated, save the city approximately half a million dollars every four years.

A second permanent registration bill to be presented to the California legislature was lost this year, though it was supported by the leading election officers of the state. No great change would be required in the registration system other than the adoption of adequate provisions for keeping the registers corrected from year to year. In most other respects the present registration system is well adapted to permanent use. The bill was opposed by the printers' lobby. A movement is now on foot, headed by the chief election officials of San Francisco and Los Angeles, to submit a permanent registration bill to a referendum vote at the next general election. Permanent registration is popular in the state, and it is believed that it will be adopted by a large majority.

A permanent registration bill, drafted by the Philadelphia Bureau of Municipal Research, was introduced in the legislature of Pennsylvania this year, but was lost. Similar bills have twice been defeated. The prospects for passage at the next session of the legislature appear, however, to be brighter.

A permanent registration act was again passed by the legislature of the state of Washington, but was again vetoed by the governor. The

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act provided for a permanent registration of voters, under the control of the city clerk or comptroller for cities and the county auditor for outlying districts. Deputy officers were to be appointed for rural sections. Card records were prescribed, and thorough methods of purging, including cancellation for failure to vote within a two-year period, were provided by the act. Signature identification at the polls was also provided. One unusual feature of the act was that it stipulated that the secretary of state should receive a third copy of each registration record and maintain an alphabetical list of voters, to be used in mailing to the voters the official publications concerning constitutional amendments and initiative and referendum proposals. The governor vetoed the bill on the ground that this would require an additional bureau at the state capital and increase the cost of government. The practice followed in California of having the county election offices mail out such publications is probably better. The Washington registration act did not provide any means whereby the voter who changed his residence might transfer his registration.[7]

JOSEPH P. HARRIS.

*University of Wisconsin.*

**The Legislative Session of 1929 in New York State.** The one hundred and fifty-second annual session of the New York legislature was the first in more than twenty-five years in which Alfred E. Smith was not a factor, and in many of these years the most important factor. Governor Franklin D. Roosevelt had his first test, after being returned a victor by a majority of 25,000. The session brought to a crisis the executive budget issue, and the power of the governor to itemize appropriations is now before the state courts for decision. Many important and forward-looking measures were passed, particularly in the field of taxation.

During the session, 3,417 bills were introduced—1,594 in the Senate and 1,823 in the Assembly. Of these, 953 were passed and 713 were signed by the governor. The number vetoed was therefore 240, or twenty-five per cent of the total number passed. From 1916 to 1929, governors of New York have vetoed, all told, nineteen per cent of the

[7] A bill was introduced this year in the New York legislature to create a special commission to study permanent registration, but the secretary of state reports that it did not pass. A similar measure in Illinois, creating a special commission to study election administration, became law on July 1.

[1] Governor Smith was not a state officer in 1916–18 and 1920–22.

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bills passed. Not since 1921, the second year of Governor Miller, the last Republican governor in the state, has a governor vetoed so large a percentage of the bills passed, although Governor Smith equalled this percentage in 1919. New York governors show a high average of vetoes, and the political makeup of the legislature apparently makes little difference in the exercise of the veto power. The bicameral legislature is not effective, in that one house fails to check the other and few alterations of bills presented are made in the second house. The governor is most effective as a check, and the thirty-day period after the legislature adjourns gives him plenty of opportunity to study bills. Unless bills are signed during this period, they are automatically vetoed.

One of the great complaints heard today is that the state legislature clutters up the statute books with needless laws, and that too many are passed. When the product of this year's legislature is analyzed carefully, the total number of laws passed may be reduced materially by eliminating certain types. Of the 713 laws passed, 112 were special laws for cities. Under the home rule amendment, special laws for cities may not be passed except upon a message from the governor declaring that an emergency exists, and by concurrent action of two-thirds of the members of the two houses. If these conditions are not met, a referendum must be held in the city concerned. It is customary for the governor to require that the mayor of the city concerned write or wire a request for the proposed law. Mayors consider the use of this emergency clause much simpler and less expensive than the referendum. Extensive use of this provision may defeat the purpose of home rule, particularly if it is applied to matters of transcending importance. This was hardly the case with the 112 special laws passed at the recent session. One law applied to cities of the second class, three made changes in the home rule law, seven in the general city law, thirteen in the village law, ten in the county law, eighty-three were special laws for villages and counties, and sixty applied to New York City Forty-nine of the measures were for claims against the state, and thirty-one were for private associations. Fifty-two special appropriation bills were passed, in addition to the two budgets submitted by the governor. Thus, 423 of the 713 bills passed were of a special nature or for appropriations, and only 290 were added to the general laws of the state. This in large part explodes the general notion that many laws are added to the statutes of the state each year.

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As has been the case since 1913, the legislature was safely under the control of the Republican party.[2] The voters of the state have apparently adopted the policy of electing a Democratic governor and a legislature safely Republican. As a result, certain recommendations of Governor Roosevelt met with defeat.

In a special message of March 12, the governor proposed, first, that the power sites on the St. Lawrence should remain forever the property of the people of the state, and that the plant be built, financed, and operated by a board of five trustees to be named by the governor with the approval of the Senate; second, that power developed at the St. Lawrence power site by the state should be transmitted and distributed "if possible" by private corporations at the lowest practicable rate, and that rates should be fixed "by contract." The names of ex-Governors Hughes and Smith were mentioned as the type of men wanted on the board of trustees. The two parties have differed on water power policy, and since this plan included public development, it was not acceptable to the Republican leaders. One legislator characterized the plan as "Al Smith's little boy dressed up in a new suit of clothes."

The four-year-term-for-governor referendum also failed. The constitutional amendment which provided for a four-year term, with the governor elected in presidential years, was defeated by the electorate in 1927, largely as a result of Governor Smith's energetic state-wide campaign against it. Mr. Smith was in favor of the four-year term, but he favored election of the governor in the even years between presidential elections. Governor Roosevelt proposed that the legislature submit two questions: first, whether the term of office of the governor should be increased to four years, and second, whether the election should occur in non-presidential years.[3] The legislature refused to act.

A fifty-million-dollar bond issue for state hospitals failed, and the labor legislation program, which included a straight forty-eight-hour week for women and children and the requirement of hearings before the issue of injunctions in labor disputes, was defeated. The state enforcement code, known as the Mullan-Gage law, was repealed in 1924, and each year attempts have been made to reënact it. At this session an enforcement code was debated very vigorously, but it failed in the Assembly.

[2] The Senate was Democratic in 1923–24.

[3] Special message, March 20, 1929.

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The most important difference of opinion between the governor and the legislature arose over the budget. Under the reorganized state government, an executive budget was created (by constitutional amendment), and this session of the legislature was its first test. When the budget was submitted it contained lump sum appropriations totaling about $54,000,000. Included in this amount were the appropriations for the departments of law and labor. These were submitted in this form at the request of the heads of the two departments, inasmuch as internal reorganization was under way. The governor proposed to itemize these appropriations before the beginning of the fiscal year on July 1. The legislature passed the budget, but added a provision that "the appropriation hereby made . . . . shall be expended in accordance with a schedule to be approved by the governor, the chairman of the Senate finance committee, and the chairman of the Assembly ways and means committee under the finance law of 1921." Those parts of the budget were vetoed by the governor, who submitted a supplementary budget on March 18.

When this arrived, the speaker was not clear as to the proper action. Unless the Assembly consented to receive it, it could not be introduced. Here was a situation without precedents, and the speaker entertained a motion that the supplementary budget bill should be sent to the ways and means committee for its information and consideration. Three plans were submitted with the budget. Form A itemized the requests as far as practicable at that time. Form B was in the same manner as the original budget; and a third suggestion was made that the heads of departments should make the itemization. The legislature refused all three proposals and passed the supplementary budget with about $20,000,000 of lump sum appropriations subject to joint control. In an opinion, the attorney-general confirmed the power of the legislative chairman to exercise joint control with the governor. At one time, it appeared that the governor would veto the entire supplementary budget and call a special session of the legislature. But in the end he vetoed a large part of the lump sum appropriations, and accepted other portions. In his veto of salary items for the department of law, he laid the basis for a court determination of the powers under discussion.

The legislature passed a gasoline tax of two cents a gallon. This levy became effective May 1, will be permanent, and will yield about $22,000,000 a year. Twenty per cent of the amount collected will be returned to the counties, on the basis of highway mileage, and five per cent will be given to New York City. It is from the proceeds of this tax

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that the farm relief program will be put into effect. The counties will be freed from paying about $9,000,000 now expended for state and county roads. A second important change in the fiscal policy of the state was the elimination of the state direct property tax levy, although property taxes will still be collected by local government units. This amounted to a tax reduction on general property of about $13,500,000. The income tax was reduced, although the governor's recommendation of a twenty per cent reduction was altered by the legislature. The law as passed provided for an increase of exemptions. The state tax commission objected to this type of reduction on the ground that it narrowed the tax base and placed the state exemptions out of line with the federal income tax law, thus creating confusion in the filing of returns.

The program of increased aid for local school districts was extended. Between 1918 and 1928, state aid for education increased from $17,000,000 to $86,000,000, and the 1929 legislature provided for $6,000,000 additional. This is to be used for the one, two, and three-teacher schools.

Under earlier legislation, the cost of removing grade crossings was to be borne, fifty per cent by the railroad, forty per cent by the state, and ten per cent by the county. Counties are now largely relieved of their portion of the burden by a law which increases the share of the state to forty-nine per cent and decreases the county quota to one per cent.

The reforestation policy of the state was expanded by an appropriation of $120,000 to purchase non-agricultural lands. The conservation department may purchase lands outside of the forest preserves, and counties may acquire tracts of less than 500 acres. In the latter case, the state will pay half the cost, up to $3,000 for a single county. Large areas of land in the state have been abandoned and are rapidly becoming jungles. Up to this year, the conservation department had no power to acquire land outside the forest preserves.

A bureau of state publicity was created for the purpose of collecting and compiling information as to agricultural, horticultural, industrial, commercial, social, educational, and recreational advantages of the state; also historical and scenic points of interest, and transportation and highway facilities. New York joins an increasing number of states which have recognized the value of advertising.

The legislature had before it a "compulsory liability insurance law" for car owners, but this failed to pass, and a "safety responsibility law" was enacted. This measure extends the driver's license law by deny-

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ing the use of the highways to persons who have failed to pay a judgment against them until they give security for the future. This type of act has spread rapidly because of the difficulties encountered in Massachusetts with the compulsory liability insurance law.

Aviation secured attention in the authorization of counties to establish air ports and of two villages or two cities to establish an air port. A special commission was continued to study the needs of aviation and its development and to initiate a state system of weather observation.

Important alterations in the election law of the state will make it easier to register and vote. A 1928 law provided that voters in cities and villages of over 5,000, where central registration is required, may register any day from July 1 to September 10. Under an amendment, the beginning date for central registration was set back to June 1. A new law provides that an application for an absentee ballot may be made at the time of registration or at any time during the registration period. Another important change in the election law empowers state committees to make their own rules as to the number of members and unit of representation to be employed in the make-up of such committees.

The most signal change in the law of the state was made by the Fearon Decedent Estates Act, which materially altered the substantive law of estates in effect since 1830. At the date mentioned, a large proportion of the wealth of the state was in real property. Today the great bulk of wealth is in the form of personal property. The new law meets this changed situation and makes distribution of property more just and equitable. The measure goes into effect September 1, 1930, and is not retroactive as to wills executed, or as to dower rights in any property acquired by a husband, prior to that date. All distinctions between real and personal property as assets in an estate are wiped out; also all distinctions between the sexes, and between a surviving husband and a surviving wife. Another new law regarded as most significant to women allows a married woman to establish a domicile for holding office or voting, other than that of her husband.

A number of investigative bodies were created or extended, although the life of the Committee on Taxation and Retrenchment was terminated. This body had functioned for many years, and its studies were among the most searching in the field of state government. The Baumes Crime Commission was extended to March 1, 1930. A study of the Public Service Commission and the powers exercised by similar commissions in other states was authorized; an aviation weather ob-

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servation service will be studied, as well as the development of the mineral springs at Saratoga. In the field of welfare legislation, a commission will determine the best methods of eliminating old-age want. As the number of new or continued commissions indicates, the legislature has definitely adopted a policy of investigation before action. As evidenced by the character of the laws passed, the results of this method of procedure have thus far been decidedly salutary.

FINLA G. CRAWFORD.

*Syracuse University.*

**Amending a State Constitution by Custom.** The constitution of Arkansas, adopted in 1874, provided that proposed amendments must be approved by "a majority of the electors voting at such election" (the general election) before being declared adopted. In 1883 the legislature passed a law directing the speaker of the house to pass upon the election and declare the result.

In 1893 an amendment was submitted empowering the governor to fill vacancies "in any state, district, county, or township office." It received a majority of the votes cast on it, but not a majority of the total vote. Nevertheless, the speaker declared it adopted. The question whether or not the amendment had really been adopted came before the supreme court, and the court decided, three to two, that it was not valid, since it had not received a majority of the total vote.[1]

Thirteen years had passed between the submission of the amendment and its voidance by the supreme court. Naturally the governor had been active under the authority of the supposed amendment and had filled numerous vacancies. Even after the decision of the supreme court was announced, the practice of filling vacancies by appointment was continued, though occasionally special elections were called. Whether membership in the legislature was regarded as an "office" is not clear, but most governors seem to have considered that they had the right to fill such vacancies by appointment.

Concerning this matter the constitution (Art. v., Sec. 6) reads: "the governor shall issue writs of election, to fill such vacancies as shall occur in either house of the general assembly." A law, originally passed in 1836 and incorporated in Crawford and Moses' *Digest* (1921), Secs. 4962-5, regulates the details of resignation from, and filling vacancies in, the legislature. It requires that the governor shall, "without delay,

[1] Rice v. Palmer, 78 Arkansas 432 (1906).

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issue a writ of election to fill such vacancy" and directs how it shall be done. Whether any governor ever filled such vacancies by appointment previous to 1893, when the amendment authorizing the executive to fill vacancies in "office" was submitted and declared adopted, the writer cannot say. If membership in the legislature was considered an "office," it was only natural that the governors should fill such vacancies by appointment from 1893 to 1906, when the supreme court declared that the proposed amendment had never been adopted. But the practice of filling such vacancies has continued, with few interruptions, to this day. One governor, C. H. Brough, even filled vacancies in a state constitutional convention in the same way.

When the attention of Governor McRae (1922) was called to the provisions of the original constitution regarding calling special elections, he admitted that he had no right to appoint members of the legislature and announced that he would appoint no more. But the practice of appointment was revived by his successors. When Governor Parnell (1928) was reminded of the constitutional provision, he acknowledged that it was against the practice, but said that "former governors of Arkansas established a custom which now appears to have the force of the common law."

A member of the supreme court who swore in one of these appointees said that he did not consider it his "duty to raise the question of the authority of the governor to make the appointment by refusing to swear the appointee in." He would express no opinion as to the power of the governor in the matter, since the question might come before him in the form of a case, but he admitted that "custom could not change a constitutional provision."

When the situation was called to the attention of the auditor, who approves vouchers for salaries, he referred the question to the attorney-general. In reply, that officer said that the senate was the judge of the qualifications and election of its own members, and that there was nothing left for the auditor to do but approve the voucher of every one whom the senate accepted as a member.

It may be that custom cannot "change a constitutional provision" so far as to put the new form in writing, but it has changed it in practice in Arkansas. Appointment is cheaper than holding a special election; and where all of the one hundred and thirty-five members of the legislature save one are of the same party, perhaps it makes no great difference.

DAVID Y. THOMAS.

*University of Arkansas.*

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## NOTES ON ADMINISTRATION

EDITED BY LEONARD D. WHITE
*University of Chicago*

**The British Civil Service and the Trade Unions Act of 1927.** At the election of 1924, only two civil servants, in the persons of two Post Office trade union officials, were elected to the British House of Commons. In 1927 Mr. Baldwin's government passed a Trade Disputes and Trade Unions Act forbidding political objects to civil service associations. At the election of 1929, no fewer than seven civil service trade union officials were elected to Parliament, all being supporters of a party pledged to reverse the policy of the Trade Union Act of 1927. The student of political institutions may well examine this sequence of events for the clue it contains to certain rather puzzling aspects of British public life.

Mr. Baldwin's Trade Union Act, in so far as it concerns the civil service, confines civil servants to membership in staff associations consisting of servants of the crown—associations, furthermore, which are without political objects and which are not in affiliation with trade unions of other than crown employees. It provides that the regulations as to the conditions of service in His Majesty's civil establishments shall prohibit civil servants from belonging to organizations infringing the act. In practice, the regulations which have been issued under the act forbid an established civil servant to belong to any organization whose objects are to influence the remuneration and conditions of employment of its members, unless a certificate of approval has been granted to the association. It will be noticed, incidentally, that while the relative clause in the act is negative, the regulations are positive. They establish an active control over staff associations, and thus set up a new principle as regards the organizations of British civil servants.

The provisions of Clause v (which alone relates to the civil service) were designed (1) to cut off civil service organizations from association with the general body of trade unions, and from relationship with political organizations. The Labor party was not specifically mentioned; but in fact it is the party concerned, for it is the only one to which affiliations had been made, and, furthermore, it is the only one which is so constructed that such affiliations would be pos-



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sible. Thus the intention was to divide civil servants from the rest of organized labor, with the particular aim of removing all danger that in any such event as the general strike of 1926 government employees might be called out on strike.

The clause under consideration was designed also to prevent direct representation of civil service interests in the House of Commons. Such representation had been obtained by securing the nomination of full-time employees of the Union of Postal Workers and the Civil Service Clerical Association as candidates of the Labor party, and their election for some constituency in the country.

It was a further object to prevent a rapprochement with the civil servants of other countries. This rapprochement had first begun with the Postal International. In this organization British postal officials came in contact with postal servants from almost every European country except Russia, from the United States, and from the British dominions overseas. International relationships had been extended through the adherence, in 1925, of the Civil Service Confederation to the International Federation of Civil Servants and Teachers. This latter extension, in particular, had apparently caused some alarm in the British Treasury and among the responsible authorities in a number of European countries.

The legislation had perhaps a more remote and less well defined aim. It may have been hoped that it would help to make civil servants a class apart, not only from organized labor, but also from the rest of the community.

These were the objects, more or less clearly realized, of Clause v of the Trade Union Act of 1927. When the act came to be applied, it was found that it prevented not only affiliation with the organized Labor movement, but also association with certain other bodies. For example, the Civil Service Confederation had to sever its connection with the National Federation of Professional, Technical, Administrative, and Supervisory Workers, a body not connected with the Labor party nor affiliated to the Trades Union Congress, though some of its constituents are affiliated to one or both. It is a federation which includes such diverse elements as the Railway Clerks' Association, the Association of Architects, Surveyors, and Technical Assistants, the Association of Women Clerks and Secretaries, the Electrical Power Engineers' Association, the National Union of Drug and Chemical Workers, and the National Union of Commercial Travellers. It comprises a whole congeries of middle-class salaried workers, partly

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technical, partly executive, partly supervisory, with traditional prejudices against trade unionism, and too modern and not sufficiently specialized to have achieved the solid organization of medicine and the law.

A number of women civil servants' organizations found themselves barred from contact with the non-party women's organizations engaged in the equality compaign; and the Chief Registrar of Friendly Societies, who is charged with the administration of the act, actually ruled that the participation of civil service associations in a meeting to advocate the extension of the franchise would be illegal.

The bill was received very quietly in the civil service. Executives protested, the editors of service papers denounced it in leaders, association secretaries fulminated in speeches; but it aroused no violent resentment among the general body of civil servants, or even of association members. The staff side of the national Whitley Council judged it unwise to attempt to organize a mass demonstration in the Albert Hall on this issue. The threat to increase the hours of a proportion of civil servants by an hour a day had packed that hall with protesters, just as it was packed at a later date in the course of the cost of living agitation, and as it would be again at any threat to wages or conditions of work. But no amount of whipping would have even half-filled the hall on this issue. The campaign in the civil service against Clause v apparently fell quite flat. As a matter of fact, certain elements in the service actually welcomed the clause's provisions, or were not violently averse to them. The First Division Clerks' Association, the Association of Inspectors of Taxes, and the Society of Civil Servants, loosely bound together in the Joint Consultative Committee, were among the former, while the powerful Customs and Excise Federation and the Executive Officers' Association were among those whose own policy had been anti-political and whose opposition to the act was partly on principle and party assumed in order to maintain staff unity. In certain unions on the industrial side of the service, such as the Post Office Engineering Union (at that time Trade Union No. 1635), a few branches certainly urged resistance. But even here the general sentiment of the membership was not merely in favor of implicit respect being shown to the new law, but strongly against anything being done that could be construed as departing remotely from the spirit of the act.

The civil service associations set to work to secure approval. The Civil Service Confederation, for example, set up a special com-

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mittee to discuss difficulties with the Chief Registrar of Friendly Societies, and to advise its many constituent associations as to any amendments necessary in their rules and constitutions; and the big Post Office unions set up their own sub-committees. In the case of the Union of Post Office Workers, the Post Office Engineering Union, and the Civil Service Clerical Association, all of which had been affiliated to the Labor party, substantial changes in principle had to be made. The executive of the Post Office Engineering Union had no power to alter the rules, and this necessitated a special conference at a cost of some £900; all the other executives made the necessary alterations and sought subsequent confirmation at the next annual conference of their respective associations. In the great majority of cases only trifling verbal amendments were required.

There has, in fact, been no case either of failure to apply for approval or of refusal of the application. A spectacle of sweet reasonableness was displayed as between the civil servants who administered the act and those who came under its operation. An illuminating example of this accommodating spirit was seen in the case of the Whitehall branches of the Workers' Union. These branches are made up of poorly paid employees like cleaners and other non-established men and women. The union to which they belong is indubitably one with which association was forbidden under the act. The Whitehall branches had, however, lived a life of their own somewhat apart from the main body of their union, and the difficulty was overcome by an addition of a new clause to the union rule dealing with branches. This clause restricts the membership of the Whitehall branches to employees of the crown, and lays down that they are not to be subject to the control of the executive committee on matters affecting wages and conditions. The practical effect of this is that the executive committee cannot call the civil service membership on strike. The Treasury and the Registrar have thus given the Workers' Union a special position under the act; for no certificate of approval is to be issued, its place being taken by an official letter confirming the arrangement.

Not only were civil servants as a whole apparently taken up with the business of working the act, but a number of associations held the view that even to protest against it was to take political action and to infringe the act. Thus, though formal resolutions condemning it were passed by executives and annual conferences in a number of cases, the act seemed to have been met with apathy and acquiescence. Similar phenomena were witnessed in a smaller degree among trade

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unionists at large, and the Labor party campaign of public meetings against the bill was generally felt to have been a failure. The government might well have been pardoned if it supposed that it had interpreted aright the sentiment of the civil service and of the community.

But though the service accepted the accomplished fact and complied with the law, and though there was no wild outburst of vocal indignation, there was much quiet resentment, especially among the members of the big Post Office organizations and of the Civil Service Clerical Association, and among the membership of the Civil Service Confederation. The members of the Federation of Women Civil Servants, moreover, were particularly indignant, for they had prided themselves on being non-political and regarded their membership in women's suffrage and equal citizenship societies as being association with a sacred cause. Organizations already committed to parliamentary candidatures made arrangements to secure their continuance. The Civil Service Clerical Association unofficially fostered a private *ad hoc* committee which invited subscriptions for the election compaign fund of its secretary; and now that he is elected, the association will arrange his work so that he can attend Parliament. The Union of Post Office Workers had, at the time of the passing of the act, a considerable election fund. This they vested in a body of trustees composed of the six officials who were candidates for Parliament. It was calculated that the fund was sufficient to defray the expenses of the next election; and this was the object of the trust, which would thus fulfill itself and automatically come to an end. The union expects that the Labor government will remove the prohibition of a parliamentary election fund.

The Civil Service Confederation was concerned at the interruption of its membership in the Civil Service International, not so much because of any loss to the British civil service, as because it was the largest contributor to the funds of the International, to whose stability its defection was a serious blow. The financial loss to the International was minimized by a heavy subscription paid in respect of a quarterly publication, a payment which was not prohibited by the act. Though the Confederation was prevented from sending delegates, the man who had been the principal British delegate on previous occasions attended at the last two yearly International conferences; and although attending in a private capacity, he was present at all meetings and by invitation spoke on several occasions. He probably exerted an even greater influence than when a delegate duly accredited.

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These corporate arrangements for defeating the intention of the act were, moreover, actively supplemented by the private efforts of individuals. In the course of debate in the House of Commons, Mr. Winston Churchill had repudiated the charge of interference with the liberty of civil servants, and had declared that as private individuals, they were politically free. The statement was brought prominently to the notice of the service, and many men who had hitherto supposed that they were barred from participation in politics took advantage of it. Members of the Post Office and the clerical grades were advised by their leaders to join local Labor parties. There is evidence that very many of them did so, and the local organizations upon which the Labor party is built up were thus greatly strengthened by the accession of a number of men and women trained in exact methods of business in big organizations. This accession of active workers, moreover, intensified the general trade unionist opposition to the Trade Union Act.

The severance of women civil servants from the powerful feminist movement brought the effect of the act prominently to the notice of a peculiarly sensitive body of voters, many of whom were but newly enfranchised. As in the case of the Labor party, so in the case of the women, individuals were stirred up to participate as persons in organizations to which they had previously adhered passively through mere affiliation. Their hostility to the government on this single issue not unnaturally had its effect upon their fellow members.

Nor must the influence of the National Federation of Professional Workers be ignored. This organization undoubtedly suffered far more than the Civil Service Confederation itself from the resignation of the latter. The adherence of this strong civil service organization had been a gesture of good-will toward a struggling movement. The loss of 60,000 members and their fees shook the Federation, and the efficiency of its organization was maintained only by serious sacrifices on the part of its officials. The influence of these widely spread middle-class voters tended thus to be directed against the government.

The influences analyzed above are obviously not adequate to account for the verdict of the election. An important factor must be considered. As regards British politics, it must always be borne in mind that a great number of voters are trade unionists first and politicians a long way second. To them their trade unions stand in place of a public school or university, or of personal advancement. These form the body of earnest hard-working family men who do their

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jobs and go quietly home without inclination to attend either branch meetings or public demonstrations. Many of these men do not bother to vote on ordinary issues. But let an attack on the unions be made by a government, and they register mentally a determination to vote against the offenders, and in due course they carry it out. This fact explains two seemingly conflicting phenomena, i.e., the failure of the Labor party campaign at the time of the passing of the act and the subsequent defeat of Mr. Baldwin. There is apparently an instinct in Englishmen to form unions in connection with their work, surviving from generations of craft guilds, which may perhaps be compared with the Americans' instinct to form clubs; so that in England trade unions are accepted very generally as integral parts of the social structure. In their *History of Trade Unionism* the Webbs remarked on the fate of governments which offend the trade union sentiment of the country, in connection with the Liberal defeat in the election of 1874.

The failure of Mr. Baldwin is plain, and the verdict on his policy as regards Clause v of the Trade Disputes and Trade Unions Act seems conclusive. The probable procedure of the present government is not so plain. Mr. Snowden, who, as Chancellor of the Exchequer, is the minister primarily responsible for the civil service, is not personally very sympathetic toward political aspirations on the part of civil servants. At an interview during his previous term of office at which the writer was present, he told a deputation of civil servants that he was in favor of the Treasury regulation prohibiting the participation of responsible officials of the crown in politics, and that he was definitely against an alteration which would allow civil servants to stand for Parliament without resigning. Mr. Snowdon's instincts and preferences are probably in line with the Treasury view that civil servants should be absorbed in administration and should stand apart from party politics. This is also the view of an influential section of executive and administrative officials, and must be offset against the determination of the great masses of lower-grade civil servants to press for repeal of Clause v. There are, furthermore, powerful groups, such as the Association of Executive Officers, the Customs and Excise Federation, and the Tax Clerks' Association, which think that, as a matter of internal policy, political affiliations are unwise. They hold, however, that the prohibition established by the act is both unwarrantable and impolitic. This view is likely to spread as a result of the disappointments to the civil service inevitable during a period of Labor government.

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The commitments of the government to its trade union supporters are, of course, very heavy, and it is doubtful whether failure to propose virtually repealing the act would be tolerated. Any bill of the sort would certainly repeal Clause v. No apathy toward civil servants on the part of the trade unions can be expected. They are, indeed, vitally interested, because any future process of nationalization will turn their members wholesale into servants of the crown. The Labor party itself, with its policy of successive nationalizations, is well aware that problems arising from the position of public employees cannot be dealt with in the restrictive manner of the act of 1927. Unless, then, something untoward befalls Mr. MacDonald's government in the near future, it seems certain that the policy toward civil service associations contained in the act of 1927 will be reversed in 1929 or 1930. This will be followed by spectacular re-affiliations to the Labor party and the Trades Union Congress. But it is unlikely to result in any fresh affiliations. Indeed, as has been suggested, the removal of restrictions on civil servants may eventually result in a reaction against political commitments, though not in any reduction of the political activities of the service organizations.

J. H. MACRAE-GIBSON.

*London, England.*

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## NOTES ON JUDICIAL ORGANIZATION AND PROCEDURE

EDITED BY WALTER F. DODD

*Yale University*

**The Activities and Results of Crime Surveys.** This article aims to describe the activities and ascertain the legislative results of approximately twenty crime surveys in American cities and states during the last ten years. To a lesser extent, attention is devoted to concrete changes in administrative practice accomplished for the most part without legislative aid. Owing to the great diversity in the nature of the activities of these various agencies, it may be desirable to classify them in some manner, however arbitrary. From the standpoint of research pursued by qualified experts, the Cleveland Crime Survey, the Missouri Crime Survey, the work of the Illinois Association for Criminal Justice, and the publications of the New York Crime Commission are in a class by themselves. If immediate legislative results are to be the criterion, honors must again go to New York, adding California, Michigan, Ohio, and to a lesser extent Louisiana, Minnesota, Indiana, Pennsylvania, and Rhode Island. In Missouri, Tennessee, and Connecticut no legislative enactments seem to have resulted. The Cleveland Association for Criminal Justice, the Baltimore Criminal Justice Commission, and the Chicago Crime Commission are voluntary associations in constant touch with the crime situation. The Ohio and Indiana movements were fostered by state bar associations. Public commissions authorized by law made the preliminary investigations in New York, Michigan, California, Louisiana, Pennsylvania, and Rhode Island. Voluntary associations organized for the purpose and financed from private funds were responsible for the work in Illinois and Missouri. The American Institute of Criminal Law and Criminology fostered the Connecticut and Memphis studies and gave valuable aid in Illinois. The Cleveland Crime Survey was conducted under the auspices of the Cleveland Foundation.

No evaluation of the effect of resulting enactments or administrative changes on the general crime situation is attempted. The aim is merely to set forth the motivating forces and circumstances of each of the several movements, followed by brief summaries of the immediate



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achievements in each separate jurisdiction. It is hoped that a future study, upon which the writer is now working, will be able to detect and segregate common threads of action and achievement running through all of these surveys and present some sort of judgment regarding their efficacy and successful achievement to date.

### I. OUTSTANDING RESEARCH SURVEYS

Inasmuch as the crime situation can undoubtedly best be dealt with through scientifically acquired information resulting in scientifically applied conclusions, it has been deemed fitting to begin this study with a consideration of those surveys which have constituted or produced outstanding pieces of research. In this category are included the Crime Survey of the Cleveland Foundation, the Illinois Crime Survey, the Missouri Crime Survey, and the publications of the New York State Crime Commission.

*Cleveland. The Cleveland Foundation Survey of Criminal Justice*, published in 1921, contained thoroughgoing and monumental researches by such nation-wide authorities as Dean Roscoe Pound, Professor Felix Frankfurter, and Mr. Raymond Fosdick. On January 1, 1922, the Cleveland Association for Criminal Justice was established "by civic organizations, in the belief that an agency was needed in the community in addition to those public agencies established by law as an integral part of our political government, to make instantly and constantly articulate the principle of public vigilance through the courts in the matter of social self-defense against crime."[1] No immediate enactment of a reformed criminal code resulted. Nevertheless, the Association has been active in centering public opinion on such deficiencies in criminal administration as its constant vigilance has discerned. The result has been a material improvement in various phases of the work. It is not our purpose to attribute any specific reform to either the Cleveland Crime Survey or the Cleveland Association for Criminal Justice. Both have undoubtedly had some influence.

New and advanced means of arranging and preserving crime statistics in the police department of Cleveland were inaugurated during 1926 under a supervisor of records with the rank of lieutenant.[2] During 1925 a bureau of criminal investigation to aid in the preparation of

[1] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 3.

[2] *Ibid.*, p. 45; *Cleveland Crime Survey*, Part 3, pp. 79–80.

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cases was established in the police department.[3] On June 1, 1923, the clerk of the municipal court "introduced an index of state and city cases designed to record each criminal case and indicate at a glance its status or disposition. This system saves both time and effort in tracing cases through this court."[4] Through order of the chief justice of the common pleas court, the administration of bail bonds was considerably tightened in 1926.[5]

Probably the most important reform was that accomplished under the act of the Ohio legislature of 1924 which permitted the common pleas court in counties where there are two or more judges to elect a chief justice whose duty it is to unify the work of the court. This reform was recommended by the Cleveland Crime Survey[6] and was soon adopted by the court of Cuyahoga county, in which Cleveland is located. This court, under the guidance of Chief Justice Homer G. Powell, has been proclaimed by the *Journal of the American Judicature Society* "the best court of general jurisdiction in the country."[7] The court has established a probation department with qualified officers.[8] In 1924 there was established in the court of common pleas a psychiatric clinic to assist judges in sentencing persons convicted of crime.[9] During 1922 and 1923 the Association's court observers presented to judges of the court of common pleas a report of the criminal record of the defendant in each case before the court. This led the court to establish its own criminal record department in 1924.[10] The recent enactment of the new Ohio criminal code is treated elsewhere in the present article.

*Illinois.* The formation of the Illinois Association for Criminal Justice in 1926 was the result of a movement initiated by the Illinois State Bar Association, with the collaboration of various voluntary organiza-

[3] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 6; *Cleveland Crime Survey*, Part 2, pp. 122–124.

[4] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 6; *Cleveland Crime Survey*, Part 1, pp. 64–67.

[5] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 6; *Cleveland Crime Survey*, Part 1, p. 85.

[6] *Cleveland Crime Survey*, Part 1, pp. 71–82.

[7] *Journal of the American Judicature Society*, Vol. 12, No. 1, June, 1928, p. 12.

[8] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 8; *Cleveland Crime Survey*, Part 4, pp. 46–47.

[9] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 8; *Cleveland Crime Survey*, Part 5, p. 41.

[10] *First Quarterly Bulletin*, 1927, The Cleveland Association for Criminal Justice, p. 8.

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tions of a civic and industrial nature. The Industrial Club of Chicago furnished $100,000 for the purpose of conducting a crime survey which was duly completed and published in July, 1929, in the form of a 1,108-page volume entitled *The Illinois Crime Survey*. The report was edited by Dean John H. Wigmore, and the investigation was directed by Arthur V. Lashly, who held a similar position with the Missouri survey; in fact, most of the experts who collaborated in the Missouri survey had an important part in preparing the Illinois volume. The result was a series of painstaking and scientific researches that have covered from every angle the crime situation in a number of rural counties in Illinois as well as in Chicago. While matters of legal procedure and judicial administration are adequately dealt with, Part III of the study enters into an extensive treatment of the socio-political aspects of organized crime in Chicago. There is no question that it is the most thorough work of its kind yet published. The reputation for sound scholarship associated with such names as Wigmore, Bruce, Gehlke, Moley, Burgess, etc., should make it a prolific source-book for students, scholars, administrators, and legislators for many years to come.[11]

While the Association did not go before the 1929 session of the legislature with a complete legislative program, it did work indirectly through various committees for the enactment of certain measures. A bill providing for an increase of the state police force was passed and signed by the governor. Bills providing for a state bureau of criminal identification and for prosecution by information were defeated. A bill permitting waiver of trial by jury and the optional choice of trial by judge was vetoed by the governor. The failure to secure prosecution by information and jury waiver was at least partly due to a serious question of constitutionality.[12]

*Missouri.* The Missouri Crime Survey is so well known that a reference to its many outstanding qualities is almost trite. Originating with the St. Louis Bar Association in 1923, under the leadership of Mr. Guy A. Thompson, the idea of a crime survey took form the following year with the formation of the Missouri Association for Criminal Justice, a voluntary organization supported by funds from private sources.

[11] A summary of the Illinois Crime Survey, by Judge Andrew A. Bruce, composes Part II of the *Journal of the American Institute of Criminal Law and Criminology*, February, 1929.

[12] Letters from Mr. W. C. Jamison, assistant director of survey, dated July 16 and July 22, 1929.

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As much as $65,000 was spent, largely as fees to experts trained in the social sciences as well as in the legal profession, and a monumental piece of research was produced. The product—published in 1926 by the Macmillan Company under the name of *The Missouri Crime Survey*—formed a book of almost six hundred large pages. Mr. Justin Miller said of it: "Up to the present time (1927), that is the best thing that has been published in this field."[13] The recommendations of the Missouri Crime Survey have not been enacted into law in Missouri—not even in a minor way. The inquiry, was not wasted effort, however. The findings were used extensively in many states which revised their criminal codes without intensive surveys. Moreover, they have supplied to publicists, scholars, and teachers invaluable information which cannot fail to contribute to the general ferment which is working toward a solution of the criminal procedure problem.[14]

*New York.* A joint legislative committee, under the chairmanship of Caleb H. Baumes, appointed in 1926, became the New York Crime Commission in 1927 and has functioned as such, with continuing appropriations, ever since, having reported to four different sessions of the legislature. The commission has issued the most thorough studies of crime of any official commission to date. We must here be content with a mere summary of what seem to the writer to be the most important enactments resulting from its recommendations. The celebrated habitual criminal statute provides for heavier penalties for second and third felony convictions and life imprisonment for fourth conviction.[15] Another statute imposes heavier penalties upon those committing felonies while armed.[16] A later enactment makes it a felony knowingly to receive stolen goods, or to receive any goods without making a reasonable inquiry into their ownership[17]—obviously aimed at the "fence."

Another category of enactments modifies trial procedure. Those jointly indicted may be jointly tried.[18] If the defendant offers evidence of his character, the prosecution may introduce in rebuttal proof of previous conviction.[19] An indictment can be dismissed only upon writ-

[13] *American Bar Association Report*, 1927, p. 468.

[14] A justice of the supreme court of Missouri comments on the survey in the *American Bar Association Journal*, vol. 13, p. 726.

[15] *Laws of 1926*, Ch. 457.

[16] *Ibid.*, Ch. 705.

[17] *Laws of 1928*, Ch. 354.

[18] *Laws of 1926*, Ch. 461.

[19] *Laws of 1927*, Ch. 266.

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ten statements of reasons therefor by the court.[20] The 1929 session of the legislature enacted a simplified form of indictment, designed to avoid technical litigation. A simple indictment must be followed by a bill of particulars if demanded.[21] A jury may consider the evidence of one delivering stolen goods in the trial of one accused of receiving them, even though the witness may have been convicted of their theft.[22]

Legislation regarding bail attempted to overcome certain abuses. Security for bail bond must be sworn by affidavit.[23] Bail is made more difficult for serious felonies and certain misdemeanors—illegally using, carrying, or possessing a pistol or other dangerous weapon; making or possessing burglar's instruments; buying or receiving stolen property; unlawful entry of a building; aiding escape from prison; and unlawfully possessing or distributing habit-forming drugs.[24] Jumping of bail was made a felony,[25] and bail is denied during appeal on conviction of a fourth felony or if the defendant is convicted of a felony committed while armed with a weapon.[26]

Appeals must now be taken within thirty days after judgment.[27] If an appeal is not heard within ninety days, the defendant is to surrender himself and the judgment is executed.[28] Only one appeal is now permitted,[29] and appeal by the people is permitted in certain cases.[30]

In 1928 there was a determined effort to strengthen probation and parole. A division of probation was established in the department of correction under the supervision of a director of probation and three examiners, both director and examiners to be members of the competitive civil service. The director is to supervise probation work in all parts of the state, and has power to make and enforce rules, and may recommend the removal of probation officers.[31] Local probation officers are to be appointed and dismissed by the court, and are to be members of the competitive civil service. They must possess the equivalent of a

[20] *Laws of 1927*, Ch. 596.
[21] *Post Standard*, Syracuse, N. Y., March 30, 1929.
[22] *Laws of 1928*, Ch. 170.
[23] *Laws of 1926*, Ch. 418.
[24] *Ibid.*, Ch. 419.
[25] *Laws of 1928*, Ch. 374.
[26] *Ibid.*, Ch. 639.
[27] *Laws of 1926*, Ch. 416.
[28] *Ibid.*, Ch. 464.
[29] *Ibid.*, Ch. 465.
[30] *Laws of 1927*, Ch. 337.
[31] *Laws of 1928*, Ch. 313.

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high school education and have certain character requisites. The duties of probation officers are defined, and courts are charged with the duty of furnishing clinical facilities and psychiatrical examinations.[32] The following are not eligible to probation: (a) persons convicted of a crime punishable by death or life imprisonment; (b) persons convicted of a fourth felony under the habitual criminal law; and (c) persons convicted of a felony committed while armed with a weapon.[33] A department of parole, with a board of parole, was established. Parole officers were to have minimum educational requirements, and were to be placed in the competitive civil service.[34]

Principal enactments of the 1929 legislature were two constitutional amendments. One, which will go to the voters in the fall of 1929, creates district criminal courts in counties in place of courts of special sessions conducted by justices of the peace. The other requires repassage by the legislature in 1931. It would permit defendants charged with felonies to waive the formality of indictment and receive immediate sentence to prison. The simpler form of indictment has already been referred to. The running of the statute of limitations is suspended from the time of indictment or the filing of the information until the determination of trial on merits.[35]

### II. SURVEYS WITH MAJOR TANGIBLE RESULTS

Several crime surveys have been able to secure immediate enactment of a major legislative program. Among these are New York (whose enactments have just been described), California, Michigan, and perhaps Ohio.

*California.* The California legislature of 1925 created a commission to study criminal procedure which reported to the forty-seventh legislature in January, 1927.[36] That body enacted into law a surprisingly large percentage of the commission's recommendations, the chief of which follow. The district attorney is required to file the information within fifteen days after the accused has been committed by a magistrate,[37] before whom he must have been taken within two days of his

[32] *Laws of 1928*, Ch. 460.

[33] *Ibid.*, Ch. 841.

[34] *Ibid.*, Chs. 485, 490.

[35] *Post Standard*, Syracuse, N. Y., March 30, 1929.

[36] *Report of the Commission for the Reform of Criminal Procedure to the Legislature*, Sacramento, 1927; *California Legislature, Forty-seventh Session, Assembly Daily Journal*, January 13, 1927, pp. 2–19.

[37] *Statutes of California*, 1927, p. 1045, amending Penal Code, Sec. 809.

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arrest.[38] The court is required to set all criminal cases for trial for a date not later than thirty days after the date of entry of the plea of the defendant. Continuance may be granted only upon conclusive proof that the ends of justice so require. If a court is unable to hear all cases pending before it in thirty days, it must notify the chairman of the judicial council.[39] Criminal cases are given precedence over civil matters.[40] All appeals in criminal cases are to be set and called for hearing within thirty days of the filing of the record in the appellate court. Continuances are to be granted only in exceptional cases, and never upon mere stipulation of counsel. On an appeal by the defendant, the appellate court must, in addition to the issues raised by the defendant, consider and pass upon rulings adverse to the state, if requested by the attorney-general.[41] The commission recommended that the judge be permitted to select the jury and that he might, "in his discretion, permit reasonable examination of the prospective jurors by counsel for the people and for the defendant."[42] The clause actually enacted makes it the duty of the trial court to select the jury, but adds that he "shall permit reasonable examination of prospective jurors by counsel for the people and for the defendant."[43] Some causes for technical wrangling and delay were eliminated by combining what formerly constituted several different offenses under a new definition of theft.[44]

The habitual criminal statute was amended so as to require life sentence without parole after conviction for the fourth felony and to permit proof of prior convictions during trial or after conviction and sentence.[45] Technical defects in indictments, informations, or complaints which do not prejudice a substantial right of the defendant cannot affect trial upon the merits of the case.[46]

The new provisions regarding the insanity plea are among the most interesting of the enactments. The defendant may plead "not guilty,

[38] *Statutes of California*, 1927, pp.1044–1045, amending Penal Code, Sec. 825.
[39] *Ibid.*, p. 1036, adding new section 1050 to Penal Code.
[40] *Ibid.*
[41] *Ibid.*, pp. 1047–1048, amending Penal Code, Sec. 1252.
[42] *Report of the Commission for the Reform of Criminal Procedure*, p. 1919.
[43] *Statutes of California*, 1927, p. 1029, amending Penal Code, Sec. 1078.
[44] *Ibid.*, p. 1046, amending Penal Code, Secs. 484–485.
[45] *Ibid.*, p. 1066, amending Penal Code, Sec. 644, and p. 1064, adding to the Penal Code new section 969a.
[46] *Ibid.*, p. 1065, amending Penal Code, Sec. 960; also pp. 1040–1043, amending Penal Code, Secs. 954, 956, 951, 952.

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by reason of insanity," or he may combine that plea with the plea of "not guilty." In case of the combined pleas, the defendant is immediately tried upon the merits for the crime charged. If in such a trial he is found guilty, or if the plea of insanity is his sole plea, the issue as to whether he was insane at the time of committing the crime is tried before a jury as the sole issue. If he is found sane, the accused is sentenced for the offense for which he was previously convicted, or if the plea of insanity was the only plea for the offense charged. If the defendant is found insane he is confined to the state hospital for the criminal insane, from which he cannot be released until the court which committed him, or the superior court of the county in which he is confined, finds that his sanity has been restored.[47]

Among the various enactments aimed at expediting the progress of the trial was a general provision intended to give the judge greater control over the trial and evidence.[48] The district attorney was given the power to amend an indictment any time before pleading, with the further provision that the court might amend it for any defect or insufficiency at any stage of the proceedings.[49] The court was given the discretionary power of selecting two alternate jurors to replace those who might become ill during a protracted trial.[50] If a juror should have become ill after these alternates had become regular jurors, a new juror might be sworn and the trial begin anew.[51] Peremptory challenges of prospective jurors were equalized between state and defendant—twenty each for capital and life offenses and ten each for others.[52]

Probation is denied to those armed with a deadly weapon at the time of committing a crime, and to any one previously convicted of a felony.[53] Minimum sentences of seven and fifteen years were es-

[47] *Ibid.*, pp. 1148–1149, amending Penal Code, Secs. 1016, 1017, and adding new section 1026. See also Charles W. Fricke "Some of the Important Changes in California Criminal Law," *Journal of Delinquency*, Vol. 11, September, 1927, p. 188.

[48] *Statutes of California*, 1927, p. 1040, adding to the Penal Code new section 1044.

[49] *Ibid.*, pp. 1040–1041, amending Penal Code, Sec. 1008.

[50] *Ibid.*, p. 1063, amending Penal Code, Sec. 1089.

[51] *Ibid.*, p. 1038, amending Penal Code, Sec. 1123.

[52] *Ibid.*, p. 1062, amending Penal Code, Sec. 1070.

[53] *Ibid.*, p. 1493, amending Penal Code, Sec. 1203. Adverse criticism of this law may be found in Fricke, "Crime Laws of California," *Journal of Delinquency*, Vol. 12, March, 1928, p. 45.

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tablished for those armed with deadly weapons when committing a crime, but prison authorities were given certain discretionary authority in reducing these minimums.[54] The principal bail legislation permitted the court to enter summary judgment against the surety within ninety days of the forfeiture of the bail bond, the court being empowered to set aside the forfeiture if the accused appears in court within the ninety days.[55] The recommendation that bail bond be a lien on property and binding even in case of subsequent transfer seems not to have been adopted.

Only one of the eight constitutional amendments proposed by the commission was submitted by the legislature, i. e., that permitting the defendant to waive trial by jury in felony cases;[56] and it was approved by the people in November, 1928. Other important proposed amendments would have given the judge the power to comment to the jury on the character of witnesses and evidence, and would have permitted the jury to consider the fact that the defendant failed to take the stand in his own defense. The legislature seems, for the most part, to have gone the full distance of the commission's recommendations. These recommendations were not accompanied by reports of extended research as in New York or Missouri. They were contained in a small forty-page pamphlet, and were introduced in the form of previously drafted bills ready for consideration.

The legislature of 1927 provided for the continuance of the work of the Commission for the Reform of Criminal Procedure by a body known as the California Crime Commission, which duly reported a series of recommendations to the 1929 legislative session.[57] A number of specific enactments followed. Courts are forbidden to accept as surety on bail any one against whom a summary judgment has remained unpaid for more than ten days. A provision stipulating that undertakings for bail shall be by written order of the court is aimed to correct the evil of easy bail by telephone. Another bail act provides that forfeited bail shall go into a trust fund for one year, from which the surety may redeem his funds by producing the defendant.[58] The duties and pow-

[54] *Statutes of California*, 1927, pp. 1491–1493, amending Penal Code, Sec. 1168.

[55] *Ibid.*, pp. 1385–1388, amending Penal Code, Secs. 1305, 1306, 1288, 1278, 1287, and adding new section 1275.

[56] *Ibid.*, 1927, p. 2367.

[57] *Report of the California Crime Commission*, Sacramento, 1929.

[58] *Statutes of California*, 1929, Chs. 383, 299, 849.

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ers of the state bureau of criminal identification and investigation were amplified in three respects: (1) provision for a limited number of trained criminal investigators to aid local peace officers; (2) the bureau is authorized to establish police schools; and (3) a statistician is to be appointed, with the power and duty to collect, compile, and publish criminal statistics.[59] Hospitals and physicians are required to report wounds and injuries treated. Standardized instructions on flight and expert witnesses were prepared.[60] Probation cannot be granted without consulting the probation officer, whose report is made a part of the record in the case. The courts are now required to appoint alienists to examine the defendant and give non-partisan expert testimony in cases where insanity is the plea. Provision is made for a new intermediate prison for young men and a new prison for women. The state department of social welfare is authorized to conduct investigations on probation.[61] There was created a state department of penology under a director appointed by the governor, holding office at the governor's pleasure, and serving as a member of the governor's council. Six boards and bureaus are placed in this department for administrative purposes. The California Crime Commission is given a permanent statutory status. Twenty-four-hour elementary schools for the purpose of studying problem children were authorized.[62] In addition to minor changes in parole procedure, numerous changes were made in the substantive criminal law.[63]

*Michigan.* The 1926 extra session of the Michigan legislature established "a Commission of Inquiry into Criminal Procedure,"[64] consisting of three members of the senate, three members of the lower house, and a seventh appointed by the governor.[65] No extensive field survey was conducted. Mr. Shirley Stewart, a member of the commission, shouldered most of the responsibility for an examination of crime surveys and the work of similar commissions elsewhere, chiefly in New York.[66] As a result of this inquiry, there was introduced in the 1927

[59] *Statutes of California*, 1929, Ch. 788.

[60] *Ibid.*, 1929, Chs. 417, 875, 786.

[61] *Ibid.*, 1929, Chs. 737, 385, 684, 248, 512.

[62] *Ibid.*, 1929, Chs. 191, 544, 866.

[63] See A. M. Kidd, "California Legislation in Regard to Crime for 1929," *California Law Review*, Vol. XVII, July, 1929, p. 537.

[64] *Report of Commission of Inquiry into Criminal Procedure*, 1927, p. 3.

[65] Letter from Sherman D. Callender, chairman, addressed to the writer on October 19, 1928.

[66] Letter from Robert M. Toms, formerly prosecuting attorney of Wayne

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session of the legislature a new draft code of criminal procedure. With one exception, the principal recommendations of the commission were enacted into law.[67]

Defendants were given the option of waiving trial by jury in favor of trial by judge.[68] No "technical variance between indictment and proof shall be considered jeopardy and grounds for dismissal of a subsequent action."[69] Courts were permitted "to refuse to accept as surety a person who is on one or more bonds" in the same court, and provisions were enacted "to make the collection of defaulted bail bonds more definite and certain."[70] Continuances of examinations were forbidden except for good cause shown, and "no continuance by consent of the prosecution and defense may be had unless a manifest injustice will be done."[71] Chapter VII of both report and code aim to avoid the dismissal of cases on technical grounds before actual trial.

Criminal cases take precedence over others. Continuance of a trial cannot take place on mere consent, and in any instance only upon strict necessity. The court is given the discretion of trying jointly or separately those accused of jointly committing a crime. The report recommended an equal number of peremptory challenges for the state and the defense, five each for offenses not involving life imprisonment or capital punishment, and fifteen each for cases involving such sentences, each defendant being allowed to challenge his own jurors in case of joint trial. This provision was enacted, with the exception that in cases involving life imprisonment or death the state was permitted fifteen, while the defense was allowed twenty instead of the former thirty.[72] The prosecuting attorney must be notified by the defendant at least four days before the trial of his intention to plead an alibi or insanity.[73] The commission's recommendation that the prosecuting attorney be

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county, in which Detroit is located, and now on the bench in the same city, addressed to the writer on October 18, 1928; *Report of the Commission*, pp. 3–5.

[67] The legislature failed to accept the commission's recommendation to comment upon the defendant's failure to take the stand and testify in his own defense. *Report of the Commission*, p. 13; letter to the writer from Sherman D. Callender, chairman of the commission, dated October 19, 1928.

[68] *Code of Criminal Procedure*, 1927, Ch. 3; Sec. 3, *Report of the Commission*, pp. 8–9.

[69] *Report*, p. 9; *Code*, Ch. 3, Sec. 6.

[70] *Report*, pp. 10–11; *Code*, Ch. 5.

[71] *Report*, p. 11; *Code*, Ch. 6, Sec. 7.

[72] *Report*, p. 12; *Code*, Ch. 8, Sec. 1, 2, 5, 12.

[73] *Report*, p. 13; *Code*, Ch. 8, Sec. 20, 21.

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allowed to comment upon the defendant's failure to take the witness stand in his own defense[74] was not enacted, but the provision that the judge be allowed to comment upon the evidence did become law. "The court shall instruct the jury as to the law applicable to the case and in his charge make such comment on the evidence, the testimony and character of any witnesses, as in his opinion the interest of justice may require."[75]

It was made mandatory to sentence a defendant to life imprisonment upon the fourth conviction of a felony. Increased penalties were provided for second and third convictions, in which cases parole cannot be granted before the expiration of the sentence without the consent of the sentencing judge or his successors.[76] The reduction of the number of dilatory appeals is attempted by leaving the matter of appeals to the discretion of the Supreme Court, or any justice thereof, giving the appellant the opportunity to present his case to that tribunal by means of a concrete statement rather than a cumbersome record.[77]

The 1929 session of the Michigan legislature made some slight changes in the new code. Prosecuting attorneys had previously been required to secure the approval of the court for entering a *nolle prosequi*. Now they must state on the record the reasons therefor.[78] At least four days before trial, a defendant who desires to claim an alibi must furnish the prosecuting attorney in writing "specific information as to the place at which the accused claims to have been at the time of the alleged offense."[79] The habitual criminal act was changed to recognize two classes of felonies for sentencing fourth offenders: if a sentence of imprisonment for five years were possible upon first conviction, the fourth offender must go to prison for life; otherwise his fourth sentence will range from seven and one-half to fifteen years.[80]

[74] *Report*, pp. 13–14.

[75] *Code*, Ch. 8, Sec. 29.

[76] *Report*, p. 15; *Code*, Ch. 9, Secs. 10, 11, 12.

[77] *Report*, pp. 15–16; *Code*, Ch. 10.

[78] House Enrolled Act No. 21, 55th Legislature, 1929, amending *The Code of Criminal Procedure*, Ch. 7, Sec. 29. These acts were furnished by the secretary of state. At the time of writing, official copies of bound session laws were not available.

[79] *Ibid.*, amending *The Code of Criminal Procedure*, Ch. 8, Sec. 20.

[80] *Ibid.*, amending *The Code of Criminal Procedure*, Ch. 9, Sec. 12. The writer was unable to find legislation amending the *Code of Criminal Procedure* so as to remove from the operation of the habitual criminal law liquor felonies such as

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*Ohio.* The 1927 session of the Ohio legislature passed a joint resolution authorizing the appointment of a committee to revise the Ohio criminal code. The appropriation for its support was vetoed by the governor, A. V. Donahey; whereupon the Ohio State Bar Association entered the breach with a committee of its own and presented a revised code for the consideration of the 1929 legislature.[81] Some of the more important enactments follow.

Sureties for bail are required to exhibit to the judge satisfactory evidence of ownership of Ohio real property of twice the value of the recognizance, in excess of all incumbrances, or present cash, government bonds, or certificates of deposit equal to the amount of the bond. Bonds secured by real property constitute a lien thereon. The court in which the prosecution is brought may enter judgment for all or any part of the bond if the sureties do not produce the accused within twenty days after he has failed to appear.[82] Simplified forms of indictment are provided, and it is stipulated that indictments shall not be invalid for a specified list of technicalities "or for other defects or imperfections which do not tend to prejudice the substantial rights of the defendant upon the merits." Provision is made also for amendment of the indictment by the court during trial.[83] If it is brought to the notice of the court that an accused person is not sane, the court may have the matter of insanity tried by a jury, three-fourths of which may reach a decision; or the court may reach a decision without a jury. If the accused is found sane, he is to stand trial on the merits. If he is found insane, he is to be committed to a hospital until his reason is restored. If the plea has been "not guilty, by reason of insanity," and the jury so finds, the accused must be committed to Lima State Hospital. Release can be secured only after the restoration of sanity has been found by a board consisting of the superintendent of that hospital, the judge of the court of common pleas of Allen county, and an alienist to be designated by said judge, and upon the further condition "that his release will not

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have attracted much newspaper publicity. Possibly this was accomplished by amending the substantive law, copies of which were not available at the time of writing.

[81] Letter from Leona M. Esch, operating director of the Cleveland Association of Criminal Justice, dated October 23, 1928, 1 *Ohio Bar*, No. 37, December 11, 1928.

[82] Amended Senate Bill No. 8. An Act to Revise and Codify the Code of Criminal Procedure of Ohio, etc., 1929, Ch. 14.

[83] *Ibid.*, Ch. 16.

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be dangerous." In any case where the question of insanity enters, the accused may be placed under observation of experts appointed by the court for not more than one month.[84]

All criminal cases must be set for trial not later than thirty days from the entry of the plea. Continuances are to be granted only upon proof of the necessity thereof in open court. Criminal cases are given precedence over civil matters. A defendant is given the privilege of waiving trial by jury in all criminal cases. Joint trial of those jointly indicted is permitted except in capital cases.[85] Two California jury provisions were enacted. It is the judge's duty to examine prospective jurors, permitting reasonable examination by counsel, and alternate jurors may be provided. Prosecution and defense are allowed an equal number of peremptory challenges.[86] The failure of the accused person to testify "may be considered by the court and jury and may be made the subject of comment by counsel."[87] Review by an appellate court upon petition in error stands as a matter of right for thirty days after sentence or judgment; after thirty days, only by leave of the court or two judges thereof. The accused must perfect the appeal and furnish the transcript. Hearings on petitions in error have precedence over all other business. The prosecution's brief must be filed within fifteen days after the petition is filed.[88]

### III. SURVEYS WITH MINOR TANGIBLE RESULTS

Other crime surveys have been able to secure the immediate enactment of a minor portion of their recommendations. These include the inquiries in Indiana, Louisiana, Minnesota, Pennsylvania, and Rhode Island.

*Indiana.* At its 1926 meeting the Indiana State Bar Association voted to establish a committee "to draft a revision of the criminal code of Indiana, or propose amendments thereto."[89] A number of the findings of this committee were contained in an article written by Professor James J. Robinson, of the Indiana University School of Law, and published in the *Indiana Law Journal* for December, 1926. In a

[84] Amended Senate Bill No. 8, Ch. 20.
[85] *Ibid.*, Ch. 21.
[86] *Ibid.*, Ch. 22.
[87] *Ibid.*, Ch. 23, Sec. 3. It would seem, however, that a similar provision has been a part of the Ohio law for some time.
[88] *Ibid.*, Ch. 38.
[89] *Indiana Law Journal*, Vol. 2, p. 218, note 4.

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referendum to the Indiana bar only four of the thirty-four proposals were rejected. Twenty-one of the remainder were submitted for the consideration of the 1927 session of the legislature.[90] Of the resulting statutes,[90a] those regarding bail seem to the writer to be more drastic than any of the current enactments in other states. Judgment and certification for execution on bond are to be entered by the judge of the court against whom it was forfeited, without separate trial, pleadings, or change of venue. Bondsmen must state and describe their property on oath and list the other bonds upon which they are surety, and at the same time declare that they are surety on no bond remaining unpaid. False statement constitutes perjury. Clerks and sheriffs are liable to the state from future salary for failure to execute.[91] Bonds are made a lien upon all lands owned by the surety in the county from the date of docketing the case.[92] Sureties are required to be resident freeholders of the county and must possess property in the state equal in value to twice the amount of the bond.[93]

Several other recommendations were enacted into law, some of them in modified form. Appeals from justice, mayor, or city courts must be made within ten days of judgment, and all papers necessary to perfect appeal must be filed within fifteen days of judgment.[94] All public offenses, except treason and murder, may now be prosecuted by affidavit (prosecution on the initiative of the prosecutor without preliminary hearing).[95] A conviction cannot be invalidated on appeal because of failure of the record to show arraignment and plea.[96] An affidavit for change of judge or change of venue must be filed ten days before the date set for trial.[97] There was enacted a provision designed to avoid continuances which merely aim at delay.[98] Interstate reciprocity or service of subpoenas is now possible.[99] A person convicted

[90] *Indiana Law Journal*, Vol. 2, p. 316–321.

[90a] William A. Pickens, president of the Indiana Bar Association, reviews this legislation in *Indiana Law Journal*, Vol. 2, pp. 474–477.

[91] *Laws of Indiana*, 1927, Ch. 132, Sec. 2.

[92] *Ibid.*, Ch. 132, Sec. 3.

[93] *Ibid.*, Ch. 132, Sec. 6.

[94] *Ibid.*, Ch. 132, Sec. 1.

[95] *Ibid.*, Ch. 132, Sec. 4. The writer is indebted to Dean Justin Miller, of the Law School of the University of Southern California, for an explanation of this use of the word affidavit.

[96] *Ibid.*, Ch. 132, Sec. 6.

[97] *Ibid.*, Ch. 132, Sec. 10.

[98] *Ibid.*, Ch. 132, Secs. 11–12.

[99] *Ibid.*, Ch. 132, Sec. 13.

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and fined is required to stand committed until his fine is paid or replevied.[100] All appeals must now be taken within one hundred and eighty days after judgment or within one hundred and eighty days after motion for a new trial. Transcript must be filed within sixty days after appeal is taken.[101] The only one of the several proposed constitutional amendments to be initiated by the legislature was that repealing the provision permitting all voters to practice law.[102] A state bureau of criminal identification and investigation was established, with an annual appropriation of $30,000.[103] In case of the plea of insanity by the defense, the court is authorized to appoint two or three disinterested physicians whose testimony is to follow that of the medical experts hired by the state and defense.[104]

The criminal legislation of the 1929 session of the Indiana legislature was for the most part substantive in nature. It is deemed worthy of notice, however, because of its drastic nature in dealing with certain types of crime. Whoever inflicts a wound or other physical injury while committing a robbery, "or while attempting to commit robbery, shall, on conviction, be imprisoned in the state prison for life."[105] The same provision is made to apply to burglary.[106] The crime of "automobile banditry" is defined as the commission of or attempt to commit a felony while "having at the time on or near the premises where such felony is attempted or committed an automobile, motorcycle, aëroplane, or other self-moving conveyance, by the use of which he or they escape or attempt to escape or intend to escape, or having attempted or committed such felony, he or they seize an automobile, motorcycle, aëroplane, or other self-moving conveyance, by the use of which he or they escape or attempt to escape." The penalty is placed at from ten to twenty-five years' imprisonment;[107] no court can suspend or commute sentence for any of the foregoing offenses; nor can a defendant be found guilty of an offense less than that charged.[108] A blow at fences is attempted in a statute requiring "auction sale barns" to keep a record of goods pur-

[100] *Laws of Indiana, 1927*, Ch. 132, Sec. 15.
[101] *Ibid.*, Ch. 132, Sec. 16.
[102] *Ibid.*, Ch. 268. Passed again in 1929. See *Laws of Indiana*, 1929, Ch. 235.
[103] *Ibid.*, Ch. 216. This was continued for the biennium 1929–30. *Laws of Indiana*, 1929, Ch. 116.
[104] *Ibid.*, Ch. 102.
[105] *Laws of Indiana*, 1929, Ch. 54, Sec. 1.
[106] *Ibid.*, Ch. 54, Sec. 2.
[107] *Ibid.*, Ch. 54, Sec. 3.
[108] *Ibid.*, Ch. 54, Secs. 5–6.

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chased and from whom purchased and goods sold and to whom sold.[109] Another statute makes it unlawful to sell, barter, exchange, give away, use, operate, or possess armored motor vehicles except in certain specified instances.[110]

*Louisiana.* Probably the most remarkable feature of Louisiana's recent attempt to overhaul her criminal code was the establishment of a survey commission by constitutional amendment proposed by the 1926 legislature and adopted by the people in November of that year.[111] This commission was to be composed of three lawyers of the state, who were to report to the 1928 legislature; and the latter's procedure was modified for the occasion. Constitutional formalities were to be dispensed with; all amendments to the proposals were to be offered in the first twenty days after convening and were to be referred to a joint committee of both houses consisting of two members from each house, with the attorney-general as ex-officio chairman. Only those amendments favorably reported by the committee were to be voted on, and each amendment had to be voted on separately.[112]

The changes actually accomplished were not as drastic as might have been expected. Only the most important, in the light of experience elsewhere, will be mentioned here. The power to issue search warrants was extended.[113] Securing bond was made more difficult, and the court was required to enter immediate judgment against the surety in case of forfeiture[114]. It seems that gubernatorial appointment of jury commissioners in the parish of Orleans had led to abuses, and the commission recommended the transfer of this power to the courts; but the legislature made the transfer in all parishes except Orleans[115]. The form of indictments was simplified and made flexible[116]. Plea of insanity must be tried and disposed of prior to any trial on plea of not guilty, and no evidence of insanity is admissible in the trial of the plea of not guilty.[117] State and defense were given an equal number of peremtory challenges[118].

[109] *Laws of Indiana, 1927*, Ch. 117.
[110] *Ibid.*, Ch. 203.
[111] Louisiana Session Laws, 1926, Act No. 262; *Code of Criminal Procedure*, 1928, p. 1.
[112] Louisiana Session Laws, 1926, Act No. 276.
[113] Title 8 in both draft and enacted codes.
[114] Title 11 in both draft and enacted codes.
[115] Title 18, Ch. 3, in both draft and enacted codes.
[116] Title 19 in both draft and enacted codes.
[117] Title 20, Ch. 4, in both draft and enacted codes.
[118] Enacted Code, Art. 354; Draft Code, Art. 357.

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Both the draft and enacted codes provided that nine out of twelve jurors may reach a verdict in certain felony cases. In capital offenses a jury of twelve must unanimously concur to reach a verdict. In certain other felony cases a unanimous decision of a jury of five is required to reach a verdict.[119] It should be noted, however, that Louisiana has permitted the less than unanimous verdict in certain criminal cases for a number of years. The draft code eliminated the law which forbids the district attorney and the judge to discuss and comment on the defendant's failure to testify,[120] and we cannot find that it was reinserted in the enacted code. A defendant who testifies in his own behalf may be cross-examined on the whole case.[121] A "harmless error" provision avoids the setting aside of judgments on appeal because of mere technicalities[122]. A system of crime reporting will furnish a state-wide survey of criminal statistics to be published semi-annually.[123]

*Minnesota.* Governor Theodore Christianson created the Minnesota Crime Commission by executive order on January 6, 1926. It consisted of prominent judges, lawyers, educators, laymen, and the presiding officers and chairmen of the judiciary committees of both houses of the state legislature—twenty-five in all. The recommendations[124] of this body were embodied in twenty-five proposed bills, of which the house passed all but two and the senate passed nine. Eight became laws.[125] These included the establishment of a state criminal apprehension bureau,[126] with adequate records for identification, and with authority to coöperate with local peace officers. An habitual criminal statute was enacted, providing for harsher sentences for subsequent convictions of felonies and for life imprisonment on the fourth conviction if that was within the range of sentences for first

[119] Draft Code, Title 23; Enacted Code, Title 22.

[120] Draft Code, p. 6.

[121] Draft Code, Art. 466; Enacted Code, Art. 462.

[122] Draft Code, p. 7; Enacted Code, Art. 557.

[123] Draft Code, Title 32; Enacted Code, Title 31.

[124] The Minnesota Crime Commission's report was published as a supplement to the *Minnesota Law Review*, Vol. 11.

[125] See mimeographed report of the National Crime Commission Conference at Washington, November 2 and 3, 1927; Oscar Hallam's address on Minnesota Crime Commission, November 2, pp. 15–17.

[126] *Session Laws of Minnesota*, 1927, Ch. 224, p. 318; *Minnesota Crime Commission Report*, p. 20.

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conviction of the same crime.[127] Another act empowers the court to sentence for a minimum of five years any person committing a felony while armed with a gun, with intent to use the weapon in the commission of the crime.[128] Indictments may be amended by the prosecuting attorney any time before trial, but the defense is given four days to prepare defense under the amendment.[129] The court may dismiss any action, but must cause a public record of the reasons therefor to be made.[130] Whenever a plea of guilty is accepted for an offense less than that charged, a written record of the reasons must be made.[131] It is made discretionary with the court whether surety on bail bonds shall make an affidavit declaring what other bonds they are surety on, location and value of property pledged, its liens or incumbrances, etc. The clerk of every court of record is required to keep a permanent record of sureties and certain facts relating thereto.[132] An examination of the Minnesota session laws for 1929 reveals but one act of any significance relating to crime, i.e., a provision requiring health records of school children to be kept, such records to be introduced as evidence whenever a child comes before the juvenile court.[133] These enactments, while undoubtedly worth while, do not begin to approach the thoroughgoing reforms proposed by the commission.

*Pennsylvania.* On May 13, 1927, the General Assembly of Pennsylvania authorized the establishment of a commission to study the laws and practices relating to crime in that commonwealth. This body duly met and functioned under the chairmanship of Mr. Charles E. Fox. By January 1, 1929, it submitted to the General Assembly a report[134] containing eighteen drafted bills recommended

[127] *Session Laws of Minnesota*, 1927, Ch. 236, pp. 337–339; *Minnesota Crime Commission Report*, pp. 40–41.

[128] *Session Laws of Minnesota*, 1927, Ch. 294, p. 407; *Minnesota Crime Commission Report*, p. 39.

[129] *Session Laws of Minnesota*, 1927, Ch. 297, p. 410; *Minnesota Crime Commission Report*, p. 30.

[130] *Session Laws of Minnesota*, 1927, Ch. 296, p. 410; *Minnesota Crime Commission Report*, p. 31.

[131] *Session Laws of Minnesota*, 1927, Ch. 255, p. 378; *Minnesota Crime Commission Report*, p. 31.

[132] *Session Laws of Minnesota*, 1927, Ch. 233, pp. 334–355; *Minnesota Crime Commission Report*, p. 35.

[133] *Session Laws of Minnesota*, 1929, Ch. 277.

[134] *Report to the General Assembly Meeting in 1929 of the Commission Appointed to Study the Laws, Procedure, etc., Relating to Crime and Criminals.*

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for passage, of which eight were finally passed in somewhat modified form. One of the latter provides for reciprocity of extra-state subpoena of witnesses.[135] An effort was made to establish a state board of parole commissioners, with a state supervisor of paroles subject to the board and in charge of local parole agents selected by the supervisor subject to standards set by the board. As finally passed, the work was given to an existing board of pardons, and the supervisor of paroles was made responsible directly to the attorney-general.[136] Two other acts had to do with breach of parole. The department of justice was authorized to collect crime statistics from local officers and publish them semi-annually in a form such as to permit ready comparison.[137] Probably the most interesting enactment was the habitual criminal law. The matter of a life sentence for conviction of the fourth felony is left to the discretion of the judge. Moreover, if five years intervene between offenses, the subsequent conviction does not count under the habitual criminal statute. Only time while at liberty, not prison time, counts in reckoning the five years.[138] The commission was continued with an appropriation of $15,000.[139]

*Rhode Island.* In 1927 the legislature of Rhode Island established a Criminal Law Advisory Commission, a continuing body which made its first annual report to the legislative session of 1928. Several enactments resulted. The presiding justice of the superior court of Providence and Bristol counties is authorized to assign an additional judge for criminal matters upon the request of the attorney-general. The method of making up jury lists was modified. Statistics on criminal actions are to be reported annually by the clerks of the various courts to the secretary of state. A report upon the status of prosecutions during the year must be made annually by the attorney-general to the governor.[140]

[135] Act No. 10, *Report*, p. 94; Senate File 272. These acts, furnished by the legislative reference bureau, could not be verified with session laws at time of writing.

[136] Act No. 11, *Report*, pp. 95–100; Senate File 309.

[137] Act No. 18, *Report*, p. 117; House File 683.

[138] Act No. 14, *Report*, p. 101; Senate File 317.

[139] Act No. 17, *Report*, p. 115; House File 566.

[140] Session laws of 1928 were not available to the writer. This information was taken from a copy of *First Annual Report of the Criminal Law Advisory Commission*, 1928, marked by Harold A. Andrews, secretary of the commission. See also *Journal of the American Institute of Criminal Law and Criminology*, Vol. 19, p. 269; *Public Laws of Rhode Island*, 1927–28, Chs. 940, 950, 977, 1192, 1193.

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### IV. PERMANENT VOLUNTARY ASSOCIATIONS

Another type of voluntary association has a permanent organization which is in constant touch with the crime situation in its municipality. Such is the Cleveland Association for Criminal Justice (referred to elsewhere in this article), the Baltimore Criminal Justice Commission, and the Chicago Crime Commission. The Cincinnati Bureau of Municipal Research is also devoting a part of its efforts and resources to crime problems.

*Baltimore.* The Baltimore Criminal Justice Commission was established in 1922 upon the initiative of the board of trade of that city during a wave of popular indignation occasioned by a particularly atrocious murder committed during a daylight robbery.[141] Supported by private funds, the commission immediately set out to survey the actual conditions of crime in Baltimore, the results of the investigation being published in the first annual report covering the year 1923. Statistics of all agencies having to do with crime were gathered and for the first time correllated in a single place. An attempt has been made to stimulate public interest in the situation by periodically publishing the results of investigations. It is said that arrests now occur in one out of every two reported crimes, whereas formerly the ratio was one out of five or six. "Cases are tried with a degree of promptness unparalleled in the United States as far as any known records show, as ninety-two per cent of the cases tried are tried within three weeks of the date of arrest."[142] The commission recently called attention to the fact that Baltimore stands first among the eight cities listed by Raymond Moley for finally punishing those actually arrested, Baltimore having a percentage of fifty-one as against seventeen for New York and fifteen for Chicago.[143] A complete investigation of probation disclosed facts which led to a considerable curtailment of unscientific practices in that matter.[144] During the first quarter of 1929 sentences were imposed in ninety-six per cent of the

[141] First Annual Report of the Baltimore Criminal Justice Commission, 1923, p. 3; James M. Hepbron, "Local Crime Commissions," *Scientific Monthly*, Vol. 24, May, 1927, pp. 426–431.

[142] James M. Hepbron, in *Scientific Monthly*, Vol. 24, May, 1927, p. 430.

[143] Moley, *Politics and Criminal Prosecution*, p. 28; Sixth Annual Report, 1928, Baltimore Criminal Justice Commission.

[144] James M. Hepbron, *Probation and Penal Treatment in Baltimore*, June, 1927.

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cases resulting in conviction.[145] The commission was instrumental in securing the change of the Maryland constitution so as to permit the abolition of the fee system in the states attorney's office. It now publishes a quarterly bulletin of crime statistics in Baltimore. A report on the activities of professional bondsmen in the state and federal courts from October, 1926, to October, 1928, was issued recently.

*Chicago.* The killing of payroll messengers during a robbery in 1917 stimulated the Chicago business community to establish the Chicago Crime Commission under the sponsorship of the Chicago Association of Commerce. Beginning operation on January, 1, 1919, the commission has been in continuous existence since.[146] Its efforts have been centered largely upon securing the facts of crime and the operation of the courts and then throwing the white light of publicity upon them. It has published periodical bulletins and pamphlets, and has furnished up-to-the-minute crime reports to the press. Its funds for 1926 amounted to $69,000 and for 1927, to $95,000.[147] The commission seems to be enjoying increased prestige under the presidency of Mr. Frank J. Loesch, who possesses the confidence of all classes desiring law enforcement.[148] The Chicago Crime Commission collaborated in the publication of the reports of the Illinois Association for Criminal Justice in 1929.

*Cincinnati.* The Cincinnati Bureau of Municipal Research has for some time been examining into the local crime problem. Pamphlet No. 4, issued in April, 1928, claims the following results: (1) surveying the police department at the request of the city manager and submitting constructive recommendations, most of which have been adopted; (2) designing a complete police and crime record system at the request of the city; and (3) completion of a statistical analysis of the court disposition of felony arrests, at the request of the county prosecutor.[149] The director reported on November 7, 1928: "The final

[145] *Quarterly Bulletin*, Baltimore Criminal Justice Commission, quarter ending March 31, 1929.

[146] *Bulletin of the Chicago Crime Commission*, No. 42, Sept. 1, 1926.

[147] *Criminal Justice: Journal of the Chicago Crime Commission*, No. 55, February, 1928; Kenneth L. Roberts, "Watchdogs of Crime," *Saturday Evening Post*, Vol. 200, Oct. 8, 1927, pp. 45–47.

[148] Comment on the Chicago Crime Commission is contained in an editorial in the *New Republic*, Vol. 56, August 29, 1928, p. 36. Professor Merriam refers to the personality of Mr. Loesch in his *Chicago* (New York, 1929).

[149] Pamphlet No. 5, May 1928.

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report of our first study in the field of criminal justice is still in course of preparation."[150]

### V. MISCELLANEOUS SURVEYS

Among a group of crime surveys with respectable findings, but with no apparent concrete results, are those made in Connecticut and Memphis by the American Institute of Criminal Law amd Criminology, that conducted by the Law Association of Philadelphia, and the incomplete work of the Institute for Research in Social Science at the University of North Carolina.

*Connecticut.* A limited survey of the administration of justice in Hartford, New Haven, and Bridgeport, sponsored by the American Institute of Criminal Law and Criminology, was published in the *Journal of the American Institute of Criminal Law and Criminology* for November, 1926, two years after if was made. To the present time there have apparently been no legislative results.[151]

*Memphis.* The study of crime conditions in the city of Memphis by Professor Andrew A. Bruce and Mr. Thomas S. Fitzgerald seems to have grown out of local indignation aroused by the statement of Dr. Frederick L. Hoffman, consulting statistician of the Prudential Insurance Company of America, that Memphis had the highest homicide rate in America. After a series of recriminations, in which the people of Memphis endeavored to show Dr. Hoffman that his figures were erroneous, a crime commission of local officials was established to seek the facts in the case. The American Institute of Criminal Law and Criminology was asked to coöperate with the group in conducting a survey of existing conditions and to make feasible suggestions.[152] A letter dated May 9, 1929, from Mr. Charles N. Burch, president of the Memphis and Shelby County Bar Association, states that his association studied the report and made several suggestions to the Tennessee legislature of 1929, but that no legislation resulted.

*Philadelphia.* The question of a crime survey in Philadelphia was discussed years ago by prominent judges and attorneys meeting with the president of the American Institute of Criminal Law and Crimi-

[150] Letter of that date to the writer.

[151] Letter of October 13, 1928, from Florence L. C. Kitchell of New Haven, and of October 16, 1928, from Judge George H. Day of Hartford.

[152] Bruce and Fitzgerald, "A Study of Crime in the City of Memphis, Tennessee," in *Journal of the American Institute of Criminal Law and Criminology*, Vol. 19, August, 1928, No. 2, Part 2, pp. 3–7.

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nology. The judges of the court of common pleas of the city soon requested the Law Association of Philadelphia to undertake the task. After some three years of study, the report of a committee of this organization was published in 1926 as a four hundred and seventy-six page volume, under the title of *Report of the Crime Survey Committee*. It was decidedly more legal than sociological.[153] One reviewer even suggested that its conservative nature might be interpreted as a deliberate intention to whitewash.[154] The writer has been unable to find any appreciable results. Indeed, the Philadelphia Association of Criminal Justice has recently been organized upon the initiative of Mr. George W. Norris, governor of the Philadelphia Federal Reserve Bank. It is reported to be patterned after the Baltimore Criminal Justice Commission.[155] The work of the crime commission of the state of Pennsylvania is treated elsewhere in this article.

*North Carolina.* The Institute for Research in Social Science at the University of North Carolina is conducting a series of crime studies. Jesse F. Steiner and Roy M. Brown's *The North Carolina Chain Gang* was the only publication issued at the time when this was written (summer of 1929). Several other projects are under way and will reach publication within the next two years.

## VI. CONCLUSIONS

Certain general conclusions suggest themselves as a result of the foregoing review. The first is that, speaking generally, greater immediate legislative results can be accomplished where a survey originates as an official legislative commission rather than as a voluntary organization. Of the four surveys with major results, three—in California, Michigan, and New York—fall in this category. To be sure, the Ohio code was formulated by the State Bar Association; but the idea was fostered by the previous legislature, which made provision for an official commission, only to have the measure vetoed by the governor. The second thought which suggests itself is that the surveys which have produced the best research have not uniformly produced the greatest immediate tangible results. New York may be an exception; but it should be remembered that the scholarly research of the New

[153] See the review of Francis F. Kane in *Journal of the American Institute of Criminal Law and Criminology*, Vol. 17, pp. 310–327.

[154] A. K. in *ibid.*, p. 160.

[155] *Quarterly Bulletin*, Baltimore Criminal Justice Commission, March 31, 1929, p. 2.

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York Crime Commission has been conducted largely since the enactment of the Baumes laws. The research activities in Michigan, California, and Ohio were in no sense comparable with those in the Missouri and Illinois projects. This conclusion is not meant to disparage research in crime. Undoubtedly the states which did not do much themselves relied largely on the results of the Missouri and New York reports. Moreover, it is impossible to foretell what will happen in the next few years in those states which seem to have turned their backs on the disclosed facts. For instance, how much of the subsequent improvements accomplished by the Cleveland Association for Criminal Justice and the new Ohio criminal code of 1929 can be attributed to the Cleveland crime survey of 1921? Probably a very great deal. The process of securing knowledge of the criminal process is cumulative, and is progressing rapidly. The writer cannot help feeling that much has been accomplished in the last ten years by these surveys. While some have been far more productive than others in immediate tangible results, all have added to that ferment which is gradually adapting a rural, eighteenth-century criminal-justice machine to the contemporary urban and industrial age.

The foregoing review has not attempted to cover the entire field of criminal law activity. There have been numerous efforts and accomplishments in the domain of criminal procedure in many states which have not had organized surveys. Most bar associations have been actively interested in the movement.[156] In several states the judicial councils have applied themselves to the problem with notable results. The present article has been concerned primarily with organized crime surveys.

JOHN M. PFIFFNER.

*University of Southern California.*

[156] See a series of articles by Professor J. P. Chamberlain in recent issues of the *American Bar Association Journal.*

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## FOREIGN GOVERNMENTS AND POLITICS

EDITED BY WALTER J. SHEPARD

*Ohio State University*

**The Communist Party of the Soviet Union.** A salient feature of the Soviet order set up in Russia by the Bolshevik Revolution of 1917 is the provision for a single, mobilized political center, striving to organize all social processes to conform with its particular ideology and program. The Communist party is this political center of the Soviet Union, enjoying a monopoly of legality in respect of organization. Only an outline of the methods by which this political machine exercises its leadership is possible within the limits of the present note. The emphasis will be on the structure which the Communists have given to their party, in order more effectively to carry the responsibility of leadership assumed by them. The word "party" is used, but one has here an organization which differs sharply from political parties of parliamentary systems. Also in its relations to the formal governmental bodies the Communist party presents several features which differentiate it from the party systems of other countries.

The special methods of organization adopted and the peculiar position enjoyed by the Communist party in the Soviet Union permit of several theoretical interpretations. One of these is that the Revolution contemplated by the Communists has three distinct stages, of which only the second has as yet been reached. There was the successful seizure of power, finally consolidated after some three years of civil war. Then came the present period of transition, the length of which will depend upon the success of the party in the exercise of its leadership. Only the successful achievement of the present party leadership will bring the final triumph of the Revolution as the third and last period. For the period of transition there is the "Government of Workmen and Peasants," but with a "Dictatorship of the Proletariat;" and the latter is exercised by the "Vanguard of the Workman Class" as organized in the Communist party. This combining of the most current slogans gives the shortest definition of the party in its relations to the Soviet government.



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Another official Communist interpretation points out that the present period of transition is marked by the continuation of the class struggle as the basis of political leadership. To carry on this class struggle, the proletariat must continue its dictatorship beyond the point of the destruction of the former governmental authority, and its party, the Communist party, must maintain its directing or ruling position in the new form of government. The Soviet political system has also been defined as a constitutional party dictatorship. It should be noted, too, that this second period of the Revolution requires the retraining of the masses, and this in a country where the bulk of the population has had comparatively little political experience. A considerable percentage of the workmen and a larger percentage of the peasants not only are unable to read and write, but are still what the Communists designate as "politically illiterate." This situation, it is believed, calls for a carefully selected and highly centralized political leadership; and the Communist party is built up in such a way as to provide this kind of leadership.

The monopoly of legality of the Communist party guarantees its directing or ruling position not only in the Soviets but also in all elective non-party mass organizations, of which the most important are the trade unions and the coöperative societies. In all these elective bodies there are the two sharply defined groups of "party members" and "non-party elements." The non-party elements have the majority in the basic local units of Soviets, trade unions, and coöperatives. All elective institutions of the Soviet Union have a pyramid form of structure on the basis of indirect elections. The Communist party is able to secure a constantly increasing representation as one ascends from the local to the central organs of the elective mechanism. In the higher coördinating bodies the party is in undisputed control, its ruling position firmly consolidated by overwhelming majorities. The party members are the only organized group in any elective body, and under party discipline they are organized as a unit. This party "fraction," as it is called, exercises the party leadership in the particular institution, for it is under the immediate direction of the party authority for the area of jurisdiction of the institution. The Communist party is "the party," the right to use the word "party" having been monopolized.

The very structure of the party adds to the effectiveness of its monopolistic position. The primary unit is the "cell;" where there are three or more members of the party in any institution they constitute

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the Communist cell of that institution. There are cells in all factories, in Red Army units, in administrative bureaus, and also in higher educational institutions. In the country districts the party group is organized to cover a township, which is the rural administrative unit composed of several villages. In round numbers there are over 40,000 of these cells, closely coördinated by committees with permanent bureaus, and all headed up in the Central Committee of the party with its Political Bureau. Frequent local conferences and annual congresses of the whole party keep the party organs in touch with one another, and in line with the policy of the party. All party organs are elective and parallel the elective organs of the Soviets, trade unions, and coöperative societies. In this way the Communists, numbering at present about a million and a half, including the candidates for membership in the party, are distributed throughout all institutions, and are under centralized direction for unified political activity.

Many governmental positions are filled by appointment, subject to confirmation, in some instances, by a "mass organization" such as a trade union. The higher, responsible posts in the Soviet apparatus of administration must be held by members of the party. This principle is accepted as following logically from the assumption of responsibility for the leadership of the Revolution by the Communists. The party control of all higher coördinating elective organs of Soviets or of trade unions makes possible the enforcement of this principle. In the event of a conflict over an appointment between the governmental authority and the trade union, for example, the party leadership in both bodies easily effects a settlement. Then, in a nationalized factory, for example, the management appointed by the governmental authority and the factory committee elected by the workmen as members of a trade union are brought into harmony by the party cell of the factory. At present it is necessary to associate with the management a large number of non-party technical experts who have come over from the old régime. Technical experts who are of workman origin and also members of the party are being produced in the Soviet schools. But until these "proletarian technical experts" and "Communist economic workers" have replaced the old-régime engineers and managers, the party cell carries a definite and heavy responsibility in any institution, whether it be a factory, an administrative bureau, or an educational establishment.

All policies are spoken of as "the policies of the party and government," and the wording corresponds to the facts of the situation.

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Party congresses precede congresses of Soviets, and the resolutions of the former determine the legislation of the latter. In intervals between congresses the Central Committee of the party directs the legislative and administrative policies of the Central Executive Committee of the Soviets. Thus the formal decision to start on the introduction of the seven-hour work-day was made, in point of fact, by the party. The same was true when the price of grain was raised. This question of the relation of the party to the government presents an interesting subject for detailed study. Another illustration may be cited. When the question of the amount to be appropriated in 1928–29 for capital investment in industry was under discussion, three governmental institutions—the Supreme Soviet of National Economy, the State Planning Commission, and the Commissariat of Finance—prepared somewhat divergent figures. It was announced that the decision as to the total to be expended was made by the Central Committee of the party. The recently adopted "Five-Year Plan," which fixes in detail the economic development of the country for the period 1928–33, is essentially a party policy. Kalinin, whose position is approximately that of president of the Soviet Union, in reporting to the party conference of 1929, spoke of it as the "party plan of socialist construction," adding that it represents "the greatest good fortune that has ever fallen to the lot of revolutionaries." In the same speech, in discussing the details of the actual carrying out of the Five-Year Plan, he explained that "the Soviet apparatus of administration is the weapon for realizing the directions of the party."

This leadership by the party in the economic field is very immediate and practical. The rôle of the party cell in a given economic enterprise with respect to management and conditions of employment is an example already noted. In the rural districts the party authorities are expected to direct sowing and grain-collecting programs. The "economic difficulties" which developed in the winter of 1927–28 in connection with the grain collections were explained as due in part to the absence of proper leadership on the part of the lower, local, party bodies. The local Communists, as well as the central leaders, were distracted from their tasks in this field by the dispute over leadership and policy which was going on within the party.

This dispute within the party furnished other illustrations of the party's position with relation to the Soviet governmental system. Very early in the discussion the "opposition," led by Trotsky, was

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accused of violating Soviet law as well as party regulations. One of the grounds on which Trotsky was exiled was his alleged "anti-Soviet" activity. In the last stage of his political downfall he was accused of organizing armed resistance. But earlier the basis for the charge of "anti-Soviet activity" was merely opposition to the policy of leadership of the existing Central Committee of the party. An appeal to the non-party masses against the Central Committee of the party, publication activity independent of party control, and the communication of party documents to persons outside the ranks of the party were the offenses with which Trotsky and his group were charged in the winter of 1927–28. And these activities were designated as contraventions of Soviet law as well as violations of party discipline.

To answer some of the questions raised, and in amplification of the general statements already made, the structure of the political organization called the Communist party is in point. The character of its structure has suggested the inapplicability of our term "party" to this type of organization. Its method of organization defines the relation of the party to the proletariat, contributes to the exercise of its leadership in the Soviets and other institutions of the Soviet system, and, in particular, throws light on the more formal question of the relationship between the party and the government. For in only one instance is there actual merging of government and party, i.e., where the Control Commissions of the party and the Commissariat of Workman-Peasant Inspection are formally united. In other instances one has at all stages interlocking directorates, and these assure to the party its ruling position in the Soviets and its leadership in all non-party mass organizations.

From the beginning of its history as a group within a larger organization, the Bolshevik faction of the Russian Social Democratic party, which in 1918 became the Russian Communist party and in 1923 the Communist party of the Soviet Union, this organization has practiced the policy of strict control of admission to membership. The formalities for application and admission include a record of productive or civic activity (or both), sponsorship by active members, a period of candidacy, sometimes a formal test, and always the voluntary acceptance of the obligations of membership and of party discipline. Each individual applicant is presumably carefully checked up. The class to which the applicant belongs is a matter of particular importance. The conditions of admission are more difficult for intellectuals

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and office-workers, less difficult for peasants, and easiest for workmen engaged in actual production or for the agricultural laborer. Between these last two groups are the so-called "poor peasants" and the peasants who apply for membership while in active service in the Red Army. Drives for membership are exceptional. At the time of Lenin's death a special contingent of workmen was recruited into the party by an active campaign. Again on the occasion of the tenth anniversary of the Revolution there was a drive for new members. In the winter of 1928–29 a more deliberate effort to increase the number of bench-workmen and agricultural laborers was made. A re-registration of the entire membership, with a "cleansing" of the party ranks, in the summer of 1929 was also an occasion for an organized effort to bring in new members. In all these instances the basic aim was to increase the number of workmen in the membership.

Although the majority of the members, from 1918 on, have come from the class of workmen, many have been drawn into the large bureaucracies of Soviets, party, trade unions, or coöperatives, and have become "office-workers" as opposed to bench-workmen. Since the workman class in this stricter sense of the word must predominate in the party to make it in fact the "vanguard of the proletariat," it is necessary constantly to take definite measures to insure this requirement. A recent drive for membership among the agricultural laborers was a new policy, dictated by the adoption of a more active economic program of socialization of agriculture.

The requirement of sponsors is made effective by a rule that sponsors will be disciplined in the event that their candidates prove unworthy. Intellectuals require more sponsors than do peasants or workmen, and their sponsors are required to have a longer "party status" than are the sponsors for a candidate who is a workman. Also, for an intellectual, two of the five sponsors required must be bench-workmen. On the other hand, the agricultural laborer may be sponsored by the local Soviet authority. The period of candidacy before admission to full membership also varies, according to the class of applicant, from six months for the bench-workman to two years for the office-worker or technical expert.

This strict control of membership makes possible the enforcement of party discipline, and the discipline of the party over its members is a very real thing. Party discipline requires that the decisions of the higher party authorities be carried out to the letter

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and promptly, either by the individual in any organization or group or by the formal "fraction" of party members in any elective institution. In its more general scope, party discipline imposes the obligation to engage in some civic activity. Greater freedom in the choice of the field of activity is now permitted, but mobilization and assignment to specific tasks is still theoretically possible and is practiced in special instances. In addition, the Communist is limited with respect to the amount of salary he may receive in an appointive position. The party member, of course, may not engage in private business for individual profit. A minimum of theoretical knowledge of party and Soviet policies is also required. Until recently, party members were assigned to various grades of special schools in fulfillment of this requirement. At present the obligation to study to become "politically literate," is not mechanically imposed except with respect to candidates as part of their preparation for admission to full membership. Party discipline extends also to the private life of the individual member, and the conception of "behavior unbecoming a Communist" has become more or less fixed. Habitual drunkenness and observance of religious rites are two very usual grounds for disciplining a party member. Flagrant abuse of the law on divorce may lead to the same thing. When common-law crimes are committed by Communists, particularily if the motive of selfish gain is present, not only does the party add its penalty to that imposed by the court, but the latter is expected to hand out the severest possible verdict because of the party affiliation of the offender.

Measures of discipline range from party censure to expulsion. The Control Commissions of the party have among their functions that of investigating individual party members, and also entire local committees, and of imposing penalties for breaches of party discipline. Elective party committees may be dissolved and their entire membership temporarily forbidden to hold responsible positions in the party. Demotion or dismissal from responsible posts in the government, a trade union, or a coöperative society always follows when the individual has been subjected to the disciplinary action of the party. The expelled member may apply again for membership, but he must go through the usual formalities, including a period of candidacy. Thus Zinoviev, after his expulsion in company with Trotsky, was readmitted to the party, but only after a period of six months from the date of his application on the basis of the abandonment of his former views and activities. Others who had sided with Trotsky in the intra-

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party discussions were also readmitted after a formal recantation. Often a member guilty of violating party regulations is not expelled, but is kept in the party, so that he may be more effectively controlled under party discipline. This was the procedure with respect to Trotsky and his followers during the first stage of their dispute over the leadership of the party.

A further means of control of the membership is furnished by periodic re-registration of all members. In this way the party is "purged" of elements that have attached themselves to it for purposes of selfish gain, or have lost faith in the policies of the party or the courage to continue the constant struggle required by the program of the Revolution. The first general cleansing took place in 1921, and at that time 175,000 members, or about one-quarter of the total membership, failed to qualify and lost their party tickets. From 1922 to July 1, 1928, as a result of partial re-registrations and the daily activities of the Control Commissions, 265,000 members either failed at the re-registration or were positively excluded from the ranks. During this same period the membership increased by the admission of new applicants from 600,000 to over a million and a quarter. In view of the development of "deviations from the party line" during the last year, a complete checking up on all members and a general "cleansing" was voted. This recent cleansing, which was begun on May 15 of this year and was due to be completed by October 15, is the most thorough re-registration that the party has known.

The first aim of this most recent cleansing was to "free the ranks of the party of elements of disintegration, of ballast, and of opportunistic degeneration." The effort had a "healthy influence" on many Communists, making them "give answer to the whole mass of the people, confessing before it all their sins." It also taught workmen and peasants "how to understand, carry out, and defend the general line of the party." Thus—so it is reported—the questions of industrialization and collectivization, of class struggle in the conditions of socialistic constructive effort, of the need of a more determined advance against the new bourgeois elements and the rich peasants have become much clearer to the non-party masses. The cleansing also is expected to induce many non-party workmen to join the party, since they see that the re-registration has removed those elements which had estranged them from it. Often the cleansing process failed to remedy the conditions in a local committee which were considered unsatisfac-

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tory by the party leaders. Wide publicity was given to such instances, and the local party body was again checked up and cleansed.

The procedure of the most recent cleansing was carefully organized. First, the higher party organs were checked up by specially selected "commissions of three," composed always of "old Bolshevik guard" members who had joined the party in pre-revolutionary days. Then these higher party organs proceeded to check up on the cells in administrative institutions. Here the party members are believed to be particularly exposed to bourgeois influences, from the technical experts and non-proletarian elements who have found clerical work in the enormous bureaucracy of the Soviet system. Next, the rural cells were cleansed. Here also the party members are "in an encirclement of petty-bourgeois elements," as represented by the twenty-seven million individual peasant households. There are only 311,000 rural Communists, and many of these were found to have come under the influence of the richer elements and the small traders among the peasants, favoring these "class enemies" in sharp contradiction to the "party line." Only a very small percentage of the rural party members, it was found, had entered the collective farms. The "industrial cells," i.e., those in large factories, were covered as the last stage of the process of cleansing. Members of these groups, it was believed, would show less "deviation from the general party line," with its emphasis on the dictatorship of the proletariat in the political field, and on the rapid industrialization of the country in the economic realm.

The instructions for the cleansing provide that in every cell each individual member must be discussed in an open meeting of the local organization, to which non-party workmen and peasants have been invited. The report of the general group on the activity of the Communist under examination is taken into consideration by the investigating commission, although the commission is not bound by the opinion expressed. There is no formal voting in the open meeting, but the commission gives its motivated decision to the assembly. Hostile elements—the disfranchised private trader, the rich peasant, or the churchman—are not to be admitted to these meetings. The political attitude of the individual is the main point on which there is checking up, and the instructions forbid delving into the private life of the party member. However, observance of religous rites and habitual drunkenness are sufficient basis for exclusion, as well as rowdyism,

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commanding methods of leadership, and "deviation from the party line."

A non-political attitude on the part of a party member is a serious departure from the "party line." It has been in the party cells of Soviet governmental bodies that this non-political attitude has been noted. Here it has been found that "narrowly practical questions have been discussed to the exclusion of questions of general policy," with the result that "the class line is not properly emphasized in the work of the institution." The Communists have shown the greatest contempt for the individual or group that lacks class consciousness and simply wants to work and live regardless of the class struggle of the period of the Revolution. The term applied to this element may be approximately rendered by the expression "mere inhabitant." Recently this term has been applied also to party members who have shown a lack of enthusiasm for the struggle, so that the paradoxical combination "party-member mere-inhabitant" has enriched the Soviet political vocabulary.

On the eve of the cleansing recently completed, the total membership of the party, including candidates, was 1,529,280, as reported by the statistical department of the Central Committee of the party. Of these, 60.6 per cent were of workman origin, although only 41.5 per cent were actually engaged in manual work in factories, on railways, as agricultural laborers, or as janitors of industrial enterprises, and 21.5 per cent were peasants by origin, although only 9.8 per cent were occupied exclusively with agriculture. The analysis on the basis of present occupation showed that office-workers, students, and "others" (the last category presumably including the group of technical experts) totaled 40 per cent of the membership, although on the basis of class origin this group was only 28.5 per cent of the total. During 1928 the membership increased 17.2 per cent, by the admission of 224,909 members. During the months of January to March, 1929, 105,000 new members were admitted. Of these new recruits, 83.2 per cent were workmen and agricultural laborers, 10.9 per cent were peasants, and only 6.9 per cent were office-workers. On the basis of preliminary reports, it was estimated by the party secretariat that the cleansing would exclude about 10 per cent of the total membership, or, in round numbers, about 150,000.

The general principle of the internal organization of the party is designated as that of "democratic centralism." All units, from bureaus of local cells to the political bureau of the Central Committee, are

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elective. But a lower unit is subject to the "directions" of the next higher unit, and the Control Commissions, local and central, periodically inspect to see that these directions are followed. Thus, it is explained, there is "intra-party democracy," while at the same time adequate provision is made for the degree of central direction necessary to insure discipline and unity in the party. Another factor making for intra-party democracy is the practice of "self-criticism" which is being promoted. Self-criticism has been put on a more organized basis to meet complaints of the growth of bureaucratic tendencies within the party. It is too early to determine to what extent this practice is functioning effectively. The instances noted in the Communist press where it has proved a fictitious right of the lower ranks of party membership cannot serve as a basis for generalization. These instances are widely discussed as part of the effort to develop the practice within the party membership. During the last year several important local organs were found to have got completely out of hand, recognizing no responsibility to the local group and escaping all control from above. Democratic centralism had failed completely. A drastic surgical operation was performed in each case. The official explanation of these instances of failure of intra-party democracy is that they result from the "right" deviations in the party ranks, while opponents insist that they are inherent in the monopoly of legality of the party.

A third factor making for intra-party democracy is the organization of discussion of party policy. It is correct to speak of it as the organization of discussion, for without control of discussion it would be impossible to enforce party discipline and maintain party unity. In preparation for a party congress the agenda are submitted to the membership for discussion locally. But it is the discussion of the resolutions adopted by a congress, or even by the central committee of the party between congresses, that is systematically organized. Local committees, and even the primary cells, are expected to study these resolutions, in order more effectively to carry out the policies which the resolutions establish. After the adoption of a policy by the higher authorities of the party, the question is no longer open to debate. It was for insisting on further discussion of policies voted by a party congress that Trotsky was accused of promoting "factionalism;" and the forming of factions within the party is one of the most flagrant violations of party discipline. For the Communist party, in order to be "the one and only" political organization of the Soviet order, must also be "one and united." This is the most positive of the many precepts

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left by Lenin to the party which acknowledges him as its founder and authority.

The maintenance of unity within the party was one of Lenin's outstanding accomplishments as a leader. During the pre-revolutionary period of underground activity, and even during the first revolutionary years of militant communism and civil war, the task of keeping the party a unit was comparatively easy. But already before Lenin's death, as a result of the New Economic Policy and of the conditions which developed from the strategic retreat which this policy represented, it became more difficult to maintain unity in the party ranks. The present leadership of the party, while insisting that it is a unit in the matter of policy, is forced to combat a "right" tendency as well as the remnants of the "left" deviation started by Trotsky. Trotskyism is designated as a "left" tendency always in quotations, being considered by the leaders in power as a perversion of Lenin's Bolshevism. The presence of capitalistic elements in the economic life of the country —private industry and trade, individual peasant enterprises, and technical experts trained under the old régime—furnishes the soil, it is explained, for both these ideological deviations. Any political concessions to these tendencies which would weaken the monopoly of legality of the party, either directly by permitting other political organizations, or indirectly by allowing factions within the nominally single party, would, it is insisted, be treason to the principles of the Revolution. And so positive was Lenin's position on this point of the monopoly of legality of the Communist party in the Soviet system that, in theory, this view is accepted by all groups which have been involved in the recent dispute.

The contact of the party with the masses is in and through the Soviets, trade unions, coöperative societies, and other so-called "non-party mass institutions." The party leadership is expected constantly to report to its constituency, particularly at the time of the annual elections. "Reporting" is also the procedure at many of the regular sessions of these institutions and their elected organs. In this way the party leadership is exercised; the political line of the party is influenced by these constant contacts, and at the same time it is enforced on the masses. "Soviet democracy" is developing, it is explained, in measure as the party brings the masses into effective activity, always in conformity with the "party line." This leadership must not be that of the "drill sergeant," and on the other hand the Communist group in any

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institution or organization must not "drift with the current," or "tag along." Just where lies the happy medium, and how often it is actually attained, is the subject of constant concern and discussion. Individual members and entire local groups have been disciplined for "commanding" methods of leadership, on the ground that their methods discredited the Soviet authority as well as the party. Others have been called to account for failure to be the active and energetic leaders in their group or community. It has been suggested that party workers in central party organs be regularly assigned to local groups for short periods each year, in order better to learn the problems and methods of local leadership.

A whole network of formal educational establishments have been instituted to train the party membership. In these party schools, universities, institutes, and academies the secretaries of local Soviets receive practical training in leadership, or the leaders of the party work out the theory of Leninism, which is the basis of the "party line." During the first years of the Revolution all members were assigned to these schools; there was obligatory party education. The insistence on training in the principles of the party was one of the sources of its strength. Agitation and propaganda constituted the great need during the first years, and the party educational institutions were adequate for that purpose. The demand of the party membership for a broader and more fundamental education recently brought about a crisis in the party schools, with a resulting modification of the former practice of mechanical assignment. But though less specific and less rigorously applied, the obligation to study and train for leadership is still one of the duties which the individual assumes when applying for membership in the party.

Less formal methods of training for leadership have been adopted. In the workmen's clubs and village reading-rooms there are "circles" which devote themselves to the study of problems of practical politics. The interesting institution of workman-correspondent or peasant-correspondent represents another channel of training; a considerable percentage of these non-professional contributors to the newspapers of the party are party members. The very informal wall-newspapers which are found in all institutions supply another field in which party members acquire training for and practice in leadership. Trade-union activity and participation in the work of the local coöperative society are considered training for more specifically political leadership. At

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the same time, the obligation of civic activity which is imposed on all party members may be worked off by any of these forms of activity, which are organized also as part of the training in leadership.

Preparation for membership in the party is one of the functions of the Communist Union of Youth. This organization of young people between the ages of fourteen and twenty-three, numbering over two million, is under the direct leadership of the party. The activities and duties imposed on these youths prepare them to meet the requirements for membership in the party. Under the age of twenty-one, all applicants for admission to the party must be members of this organization of youth, with the training which such membership has supplied. The older elements of the Communist Union of Youth participate directly in Soviet, trade-union, or coöperative work, their "cell" in a factory or their "fraction" in a Soviet or other elective body forming a unit with the corresponding party cell or fraction. A Communist movement among children has brought into formal organization some two million "Pioneers of Communism." These selected groups of children, ranging from ten to sixteen years of age, are under the leadership of the Communist Union of Youth, and are being trained to join the latter, and ultimately also the party.

The special "political courses" in the Red Army have among their several aims that of selecting and preparing young men in military service for membership in the party. The network of party cells extends also to the regiment barracks, and a large number of young workmen and peasants are brought into the ranks of the party during the period of their training in the Red Army. The party also has instituted Conferences of Women Delegates among the women of the workman and peasant classes. These Conferences have a broad program of political education to bring the women into public life and activity. By participation in the work of the Conferences, many women acquire the qualifications and training deemed necessary for admission to the party.

The Communist party is an "All-Union" organization, crossing the lines which have been drawn by the federal structure of the Soviet Union. There is, for example, the Communist party of the Ukraine, and the party organization of an autonomous unit also carries the name of the national minority which enjoys an autonomous status. But these local "national" sections of the single All-Union Communist party have the same relation to the central party authorities as do local organs of a purely administrative area. It is only the size of the party

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organ corresponding to the territory of the Ukraine that makes it one of the more important of the local party units. The principle of unity demands this subordination of the factor of nationality in the structure of the party.

On the same principle, the Communist party of the Soviet Union is itself not a national party, but only a section of the Communist International, theoretically subordinate to this body. The position of the party with respect to the Communist International, and the resulting relationship between this international body and the Soviet government, has been one of the points in dispute between Moscow and the governments of other countries, and requires independent discussion. This outline has confined itself to the subject of the structure and rôle of the Communist party within the Soviet Union. However, it should be noted, for example, that the recent cleansing of the party was undertaken under an article of the formal conditions of membership in the Communist International, this fact being constantly emphasized in the decisions and instructions in connection with the cleansing of the party ranks. As a matter of practical politics, the Soviet Union Communist party is the force and authority in the Communist International, being the only section that has effectuated the program of the Revolution and established itself as the ruling party of a Soviet system. The theory, however, must be borne in mind, even though it does not influence practically the principles or structure of the party or its position with respect to the various institutions of the Soviet system.

Within the Soviet Union, therefore, on the basis of its monopoly of political organization, the Communist party has assumed sole responsibility for leadership. This assumption of responsibility, coupled with the specific aims of the leadership, has demanded a strict control of membership. Further, the membership is being constantly trained for the exercise of this leadership, and selection is being made from the younger generations to train up the "reserves" for the present leadership. The structure of the party, with its cells, fractions, local and central committees, conferences and congresses, and its Political Bureau and Control Commissions, gives the million and a half members and candidates for membership direct contact with all groups and all activity, for the double purpose of registering the demands of the masses and directing their activities. The ultimate aim of the party is to bring into its ranks the majority of the workman class. After twelve

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years of the Dictatorship of the Proletariat, this aim has not been attained. It is believed that the recent cleansing of the party ranks will attract new members from among the workmen. But Lenin's policy of "quality rather than quantity" in this matter of formal membership in the party is being continued. At the same time, all opposition of an organized character, outside or within the party, is suppressed with the same vigor that marked the suppression of opposition in the first years of the Revolution. The oft-reiterated statement that the Soviet order is absolutely dependent on the maintenance of the "oneness" and unity of the Communist party has the ring of a campaign slogan. But in the conditions of a period of revolution, with the constant harping on the menace of "counter-revolution," this statement has come to represent a basic principle of a political system.

SAMUEL N. HARPER.

*University of Chicago.*

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## NOTES ON INTERNATIONAL AFFAIRS

**The Personnel of International Administration.** International administration assumes the establishment and maintenance of staffs of subordinate officials and employees, comparable to the civil service personnel of individual countries. In general, the international service is somewhat less systematized than the national services of the more progressive states, chiefly on account of the multiplicity of existing organs, each maintaining its separate staff. It is in the League of Nations, including the International Labor Organization, that the greatest amount of order and system will be found. Other international organizations do not have the same need of comprehensive methods of dealing with personnel problems, since the number of their employees is comparatively small.

*The Use of National Officers in the Administration of International Conventions.* The administration of the majority of international conventions falls entirely within the province of the regular national agents. In some instances particular mention is made of the officials who are expected to collaborate in carrying the provisions of an agreement into effect.[1] The convention of 1921 dealing with the metric union refers to the director of the archives of France in connection with the deposit of prototypes.[2] Where the national officials are not mentioned by a treaty, it is properly assumed that they will apply its provisions, just as local courts will adjudicate in relation to the document. For example, the Convention for the Regulation of Aërial Navigation of 1919 describes the registration of aircraft and the issuance of certificates of air-worthiness by signatory states, without designating the local authorities who are expected to act, and plainly assumes that such authorities will be governed under the municipal

[1] This is generally true of extradition conventions which refer to "judges," "magistrates," "officers of the surrendering government," "legal officers of the state where proceedings are had," and in other terminology make mention of the regular officers of the states concerned. See United States treaties with Costa Rica (1922), Venezuela (1922), Siam (1922), Latvia (1903), in *Treaty Series* (U. S.), Nos. 668, 675, 681, 677.

[2] *Treaties, Conventions, International Acts, Protocols and Agreements between the United States and Other Powers*, Vol. 3, p. 3088.



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law of the respective countries.[3] Even when special international administrative bodies are created by treaties, reliance may also be placed upon national agencies. The postal officials of a state having membership in the Universal Postal Union, for instance, are expected to apply the rules prescribed by the convention of the organization.

The international significance of certain national administrative acts is so real and apparent that they have been referred to by one author as a form of international administration. Mr. C. Delisle Burns has commented as follows with regard to the matter: ". . . . . a village postman of England or France [members of the Universal Postal Union], delivering a letter with a foreign stamp, is acting as an international official. That is a form of international administration, but in this form the states, as it were, themselves act as agents or instruments of an international 'will.' The village postman, although acting directly under orders from his own government, is indirectly serving the authority whose direction his government has agreed to follow, and he is certainly acting for the benefit of citizens of other states whose stamps are on the letters. Sovereign power begins in such a system to interpenetrate other sovereignties."[4]

It is, however, both confusing and illogical to describe such activities as international administration. In no sense has the agent himself been divested of his national character. If he is applying an international rule, he is doing so under the constitutional and statutory provisions of his native state, under state maintenance, direction, and responsibility. To assert that the state itself is transformed into an "instrument of international will," or into an organ of international administration, is only another way of saying that the administration itself is national. The essential fact is that the administrative actions themselves are taken by officials of a purely national status, and that, apart from the states by which they are employed, these officials have no standing whatever.

[3] *Treaties, Conventions*, etc., Vol. 3, p. 3774. Attention may be called to the fact also that most of the conventions drafted under the auspices of the League of Nations rely entirely upon national application. See *British and Foreign State Papers*, Vol. 116, pp. 517, 527; Vol. 119, pp. 568, 523, 548, for conventions dealing with navigable waterways, freedom of transit, maritime ports, railways, and the transmission of electric power, respectively.

[4] "International Administration," in *British Yearbook of International Law* (1926), pp. 58–59.

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It is frequently true that the national officers designated to administer international rules are specially created for that purpose, and therefore do not belong to the regular staff of governmental agents. The treaty of Versailles provides that each of the high contracting parties shall "establish a clearing office for the collection and payment of enemy debts."[5] Similar articles are found in the treaty of St. Germain and the treaty of the Trianon.[6] A treaty formed in 1922-23 at the Conference on Central American Affairs calls for the creation, within each signatory state, of two commissions to study questions of finance and means of communication.[7] It would be possible to cite numerous cases in which special national machinery has been necessitated by international treaties.[8] From the point of view of international organization, there is no difference between the activities of special and of regular agents of states.

Particular attention should be directed to the mandate system from the angle of administrative personnel. It is essential to the mandate principle that the actual operation of government within backward areas shall be under the "tutelage" of advanced nations which are considered to be fitted to undertake such a task, with the understanding that the mandatory powers shall be responsible to the League of Nations for the manner in which they exercise their authority. The degree of authority and administration which a mandatory state possesses in a given case is defined by the Council of the League, with due regard to the distinctions drawn in the Covenant between A, B, and C mandates, and in practice, on the basis of prior negotiations with the mandatory nations.[9] The personnel of the government of a backward area is composed of natives and officials of the mandatory, all of whom are, in varying degrees, under the direction of the government which is acting in the rôle of mandatory.

[5] Treaty of Versailles, Part X, Section III, Annex. See *British and Foreign State Papers*. Vol. 112, p. 142.

[6] *Ibid.*, Vol. 112, p. 428, and Vol. 113, p. 580.

[7] *Conference on Central American Affairs*, 1922–23 (Washington, 1923), p. 345.

[8] For further illustrations, see Sir A. Oakes and R. B. Mowat, *The Great European Treaties of the Nineteenth Century*, pp. 55–56; *Treaties, Conventions*, etc., Vol. 2, pp. 1960, 2417, and Vol. 3, p. 2959.

[9] The texts of these mandates as defined by the Council of the League of Nations may be found in *American Journal of International Law*, Special Supplement, Vol. 17.

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An arrangement of this nature is clearly another instance of the use of national agents for the administration of an international pact. There is no international control of the personnel in charge of a mandated region except through the medium of the states by which they were chosen and under whose direction they act. In practice, complaints lodged with the Council have involved later negotiations with the mandatory state without direct communication with the officials themselves. The essential distinction between the use of national agents for the application of ordinary treaties and their employment in the mandate system is that in the latter case the states which the agents serve have accepted in the Covenant certain supervisory duties of the Council of the League of Nations which may act as limitations upon their own individual actions or policies.

*The Increase of International Administrative Personnel.* International agents of administration are indicative of the attainment of a higher degree of internationalism than is possible with national administration of pacts. They imply a definite relinquishment of state control within a given field, however broad or narrow it may be. More important from a practical standpoint is the fact that the employment of international administrative agencies produces a greater uniformity of methods and results among the nations concerned than can be obtained by separate states acting independently.

It is therefore significant that organs of international administration are coming to be relied upon increasingly. They were first used in connection with the arrangements made throughout the nineteenth century for the internationalization of rivers, and in the machinery of public bureaus and commissions created to deal with economic and social matters.[10] More recently, the League of Nations and the International Labor Organization have found it desirable to make use of international officials. The Secretariat of the League comprises within its eleven sections approximately six hundred persons, and the Labor Office has over three hundred and fifty, grouped into three divisions.[11] The rapid increase in the size of the Secretariat before 1927 may be seen from the following table:[12]

[10] See F. B. Sayre, *Experiments in International Administration* (N. Y., 1919).

[11] *Official Journal:* 9th Year, No. 11 (Nov., 1928), Budget for 1929, pp. 1859, 1877.

[12] C. Howard-Ellis, *The Origin, Structure, and Working of the League of Nations* (Boston and N. Y., 1928).

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| Year | Total | Permanent Staff | On Probation | Temporary Officials |
|---|---|---|---|---|
| 1920 | 183 | 183 | — | — |
| 1921 | 347 | 285 | — | 31 |
| 1922 | 368 | 296 | 17 | 23 |
| 1923 | 386 | 268 | 39 | 40 |
| 1924 | 424 | 295 | 45 | 48 |
| 1925 | 442 | 288 | 69 | 47 |
| 1926 | 467 | 322 | 34 | 68 |

With reference to personnel, international administrative agencies may be divided into two categories. In the first place, there are organs which are composed of appointees of an international official or group, as in the case of the Secretariat of the League of Nations and the Labor Office. The individual officers under such an arrangement are entirely free from state control, and consequently are thoroughly international in character. Secondly, there are agencies which are themselves international, even though they are made up of individuals selected by member states on the basis of representation. The Straits Commission and the two Danube Commissions are filled by appointees of participating states.[13] An analogy appears between international administrative bodies of this character and international conferences, which in a similar way are made up of national officials.

In numerous instances, international administrative organs which are themselves formed of agents retaining their state character employ a number of subordinate employees in distinctly international capacities. Article 27 of the Danube Convention of 1921 contains the following stipulation: "To carry out the task confided to it by the terms of the present convention, the International Commission shall establish such administrative, sanitary, and financial services as may be considered necessary. The Commission shall appoint and pay the personnel of these services and define their duties."[14] Following this statement, there is a list of the specific services which may be created by the International Commission. The German Reparations Commis-

[13] See Convention Relating to the Régime of the Straits (1923), in L. Martin, *Treaties of Peace,* Vol. 2, p. 1032; and Definitive Statutes of the Danube, in *British and Foreign State Papers,* Vol. 114, p. 535.

[14] *American Journal of International Law,* Supplement, Vol. 17, p. 21.

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sion, by the treaty of Versailles, is "authorized to appoint all necessary officers, agents, and employees who may be required for the execution of its functions, and to fix their remuneration.[15] Stipulations of this type are quite common in connection with the larger and more important international commissions.[16]

In several cases where the commission is formed by national appointment, the significance of that method is lessened by the fact that the persons who compose it are technicians, and that, therefore, their control by the states from which they are selected has little or no relation to diplomacy. Under the Sanitary Convention of 1903, the Superior Board of Health of Constantinople was composed of delegates of the participating states who were "physicians holding regular diplomas from a European faculty of medicine."[17] Even where the convention does not necessitate the appointment of experts, the nature of the work to be done may be such as to require, or at least to suggest, the practice.

*Administrative Staffs of Independent Commissions.* In the case of independent commissions requiring the services of subordinate administrative staffs, it is customary to provide in the conventions creating the organs that they may formulate their own personnel rules. The various services of the Elbe River Commission are governed by the following article of the convention of 1922: "A secretariat shall be set up at the seat of the Commission, comprising a secretary-general and an assistant secretary-general, aided by the necessary staff. The members of the secretariat shall be appointed, paid, and dismissed by the Commission. The secretary-general and the assistant secretary-general shall be chosen by the unanimous vote of the Commission. They may not belong to the same nationality."[18]

Similarly, the Sanitary Convention of 1903 allowed the Superior Board of Health at Constantinople to provide for corps of physicians, disinfectors, and skilled mechanics.[19] Other commissions whose activ-

[15] *British and Foreign State Papers*, Vol. 112, p. 110. Treaty of Versailles, Part 8, Sect. 1, Annex 2.

[16] *British and Foreign State Papers*, Vol. 112, p. 37, in regard to the Saar Basin Commission; and *American Journal of International Law*, Supplement, Vol. 17, p. 229, for a similar provision relative to the Elbe River Commission, as defined by the convention of 1922.

[17] *Treaties, Conventions*, etc., Vol. 2, p. 2104.

[18] *American Journal of International Law*, Supplement, Vol. 17, p. 229, art. 7 of the convention.

[19] *Treaties, Conventions*, etc., Vol. 2, p. 2104, art. 172.

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ities justify an arrangement of this nature, such as the International Commission for the Danube and the Saar Basin Commission, are generally empowered to fix their own personnel regulations. In some instances, however, this authority is subject to limitations, particularly with reference to the nationality of the employees, as in the instance of the Elbe River Commission, cited above. As a result of the extensive control permitted to administrative commissions in regard to their subordinate personnel, it follows that there is no uniformity among the rules in vogue. Generally there is no formal adoption of regulations, and consequently the employment of minor officials is on a personal basis.

The exercise of the right commonly given to important commissions to deal as they will with personnel matters has been the subject of particular controversy in the case of the Saar Basin Commission. By the treaty of Versailles, the commission is allowed to have "all powers of government hitherto belonging to the German Empire, Prussia, or Bavaria, including the appointment and dismissal of officers, and the creation of such administrative and representative bodies as it may deem necessary."[20] It is alleged that in practice native officers have been arbitrarily evicted from office and persons of French nationality put in their places.[21] In its reports the commission admits the existence of some dissatisfaction with its policies, but claims to have removed only "those individuals who, by their ill-will or by their hostility to the new régime, will be likely to paralyze its actions or to compromise its work."[22] The local conditions in the Saar Basin are especially fitted to produce discord over such an issue as the selection of personnel.

*Administrative Personnel of Public International Unions.* The administrative work of public international unions is done chiefly through the instrumentality of bureaus or central offices. The bureau has been referred to as "the connecting link between the various national administrations."[23] It is the personnel of such organs that carries out the specific administrative activities described in the *règlements.* The commissions which have been created in connection with a large num-

[20] *British and Foreign State Papers,* Vol. 112, p. 37.

[21] S. Osborne, *The Saar Question* (London, 1923), p. 168.

[22] For the first report of the Saar Basin Commission, see *British and Foreign State Papers,* Vol. 112, p. 208. Other reports are given verbatim in the same volume.

[23] P. S. Reinsch, *Public International Unions* (Boston, 1911), p. 155.

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ber of unions do, however, participate quite directly in administrative work through their control of the bureaus, and because of the function frequently given them of issuing administrative regulations.[24] In the International Sugar Union the commission assumed a still more active administrative rôle.[25]

The personnel of the commissions of the public international unions is composed in three ways.[26] In some unions it is made up of representatives of all member states, as in the case of the Pan American Union and the International Institute of Agriculture.[27] Where this is true, the manner of selection and the tenure are solely matters of individual state action. In other unions the commissions are elected by the conferences, and may or may not contain representatives of all the signatories. In the Geodetic Union, the commission is made up of two ex-officio members and nine others selected by the conference. When the personnel is selected by conference of the signatories, they individually assume an international character, on account of the fact that tenure, compensation, and direction are entirely international.

The bureaus of existing unions are generally not large in personnel. The staff of the bureau of the Universal Postal Union consists of nine persons: a director, a vice-director, two secretaries, an assistant-secretary, a registrar, a clerk, an assistant clerk, and a typist.[28] The Pan American bureau at Washington includes sixteen persons,[29] though in addition to the staff there are employees in sufficient number to bring the personnel to a total of nearly one hundred. The International Institute of Agriculture is unusual in the large size of its personnel.[30]

[24] Reinsch, *Public International Unions*, p. 153.

[25] *Ibid.*, p. 49.

[26] *Ibid.*, p. 154.

[27] For the convention of the Pan American Union, adopted in 1928, see J. B. Scott, "The Sixth International Conference of American States," in *International Conventions*, No. 241, p. 344. For the convention of the International Institute of Agriculture, see *Treaties, Conventions*, etc., Vol. 2, p. 2141.

[28] J. F. Sly, "The Genesis of the Universal Postal Union," *International Conciliation*, No. 233 (Oct., 1927), p. 57.

[29] *Congressional Directory*, 70th Congress, 2nd Session (Jan. 1929), p. 320. They include the following: director-general, assistant director, counselor, foreign trade adviser, chief clerk, chief statistician, chief accountant, librarian, managing editor, two Spanish translators, Portuguese translator, chief mail clerk, secretary, chief of division of education, chief of division of finance.

[30] *Annuaire de la Vie Internationale* (Brussels, 1912), pp. 417, 425–426. In 1912 the Institute was composed of four services, which included staff members of eight defined grades, in addition to a number of employees.

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The staff of the Pan American Sanitary Bureau comprises eight officials, besides the subordinate employees.[31] The ordinary public union, however, maintains a bureau of smaller proportions, generally with a staff of fewer than six persons. The bureau of the Union for the Protection of Industrial Property, for instance, is made up of five staff members.[32]

The staff officers of the bureaus are usually appointed by the committees or commissions of the unions. The permanent committee of the International Institute of Agriculture is empowered to "appoint and remove the officials and employees of its office."[33] In some instances there is more specific enumeration of the officials to compose the bureaus whose appointment comes within the authority of the commission. Article 7 of the convention creating the Bureau of Weights and Measures states that the committee shall choose "a director, two assistants, and the necessary number of employees."[34] Where there is no commission in the union, it is customary to allow the state in which the bureau is placed to select the personnel. The ministry of foreign affairs for Belgium is empowered to employ and discharge the members of the bureau of the Union for the Publication of Customs Tariffs, located at Brussels.[35]

The employees of existing bureaus who are not staff members are governed in various ways. When the organ is placed under the control of a national government, that government may issue regulations concerning the recruitment, pay, and duties of the subordinates to be employed, or may deal with the matter in any other convenient way.[36] National regulations, when formulated, may require the consent of all contracting states.[37] In some unions it is customary for the permanent commission to make regulations relative to the subordinate

[31] *Congressional Directory*, 70th Congress, 2nd Session, p. 335. They include: honorary director, director, assistant director, vice director, secretary, scientific editor, and two travelling representatives.

[32] *Handbook of International Organizations* (Geneva, 1925), p. 79.

[33] Art. 8 of the Convention of 1905. See R. L. Bridgman, *The First Book of World Law* (Boston, 1911), p. 249.

[34] *Ibid.*, p. 258.

[35] *Treaties, Conventions, etc.* Vol. 2, p. 1997.

[36] *Annuaire de la Vie Internationale* (1912), p. 222. The Belgian government, for instance, follows the practice of issuing regulations in regard to the bureau of the Union for the Publication of Customs Duties.

[37] *Ibid.*, p. 542. This is true in the Union for the Protection of Industrial Property.

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personnel. The employees of the International Institute of Agriculture are governed by a very detailed set of rules, adopted by the permanent committee of the organization, which provide for recruitment by examination, a salary scale, advancement, and discipline.[38] The Pan American Union has no published regulations of this nature, but it emphasizes special fitness for the work which members of its staff undertake. It is the practice of this organization to employ persons of from eight to ten different nationalities, so that, from time to time, the nationals of all of the states which are members will occupy positions. The ordinary public union is somewhat less circumspect in this regard, though adherence to the idea is not infrequent.

*Administrative Personnel of the League of Nations.* At the Paris Conference of 1919, two theories in regard to the composition of the Secretariat of the League were propounded.[39] One element held that the staff should be made up of separate national delegations under state maintenance and control, with the understanding that the primary function of the Secretary-General would be to coördinate the work of the national groups. A second element advocated that the Secretariat constitute an international civil service, entirely divorced from the national services. Under this scheme, the personnel would be under the control of the Secretary-General, and remuneration would be from the general funds of the League. Sir Eric Drummond, who later became the first Secretary-General, persuaded the organizing committee set up by the Conference to adopt the plan of an international service. His attitude has been expressed as follows: "The old system had not given altogether satisfactory results; and when the members of a committee set up by the Plenary Peace Conference met to consider the matter of organization, I strongly urged that the second plan should be adopted . . . . , we maintained that the execution of decisions should be entrusted to people who, being servants of all the states members of the League, could be relied upon to carry them out with complete freedom from national bias."[40]

While, however, the personnel of the Secretariat of the League of Nations and of the International Labor Office is on an international basis, so far as appointment, tenure, supervision, and responsibility are concerned, it has been observed that the individual members do

[38] *Annuaire de la Vie Internationale*, p. 28.

[39] C. Howard-Ellis, *op. cit.*, p. 171.

[40] Sir E. Drummond, in *The World Today* (March, 1924).

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not lose all sense of nationality or become unaware of the interests of their respective states.[41] In fact, it is not desirable that nationalism be entirely extinguished in such organizations. It is one of the possible contributions of an organ such as the Secretariat that, in advancing the interests of internationalism, it may "interpret the mind of one nation to the others."[42] By so doing, it may lay the foundation of later actions to be taken within the conferences or commissions of the League.

On the other hand, it is clear that too much emphasis upon nationality among the members of an international service would prove highly undesirable. The result would be to stimulate rather than to allay national antipathies. It is, therefore, of paramount importance to the success of an organ composed of internationalized officials that they shall be persons able to maintain a middle course between extreme nationality and complete denationalization. In the Fourth Committee the opinion was expressed in 1928 that the atmosphere of the Secretariat was not as firmly international as it had been in the beginning.[43] The Secretary-General was, however, of the contrary opinion. As a result of the discussion, a resolution was adopted reaffirming the principles adopted in 1921 relative to the personnel of the Secretariat.[44]

The present personnel of the Secretariat of the League comprises persons from approximately fifty states, and that of the International Labor Office is made up of about thirty nationalities.[45] The higher offices are reasonably well distributed among the nationals of member states. Among the inferior posts, however, English, French, and Swiss nationals are more numerous than those of other states, on account of the advantage of having employees able to use official languages of the League, and also the availability of such persons, particularly the Swiss, within the environs of Geneva. The existing distribution of positions

[41] C. D. Burns, "International Administration," *British Yearbook of International Law* (1926), p. 67.

[42] *Ibid.*

[43] Budget for the Eleventh Financial Year. *Official Journal*, 9th Year, No. 11, p. 1777.

[44] *Ibid.*, p. 1778.

[45] *Official Journal*, 9th year, No. 11. Budget for 1929, pp. 1857–85. A list of officials and employees is given, together with their nationalities. After the admission of Germany to the League the Secretary-General announced the desirability of filling certain new posts to be created with Germans. See *Official Journal*, Special Supplement No. 42, p. 73.

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in the main sections of the Secretariat according to nationality is indicated in the table below.[46]

The manner of choosing the personnel of the Secretariat is covered in Article 6 of the Covenant as follows: "The permanent Secretariat shall be established at the seat of the League. The Secretariat shall comprise a Secretary-General and such secretaries and staff as may be required. The first Secretary-General shall be the person named in the Annex; thereafter the Secretary-General shall be appointed by the Council with the approval of the majority of the Assembly. The secretaries and staff of the Secretariat shall be appointed by the Secretary-General with the approval of the Council."

Articles 394 and 395 of Part XIII of the Versailles treaty stipulated that the Director of the International Labor Office shall be selected by the Governing Body, and that the staff shall be appointed by the Director, "who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities."

In the early period of the League's existence the staffs of the Secretariat and Labor Office were recruited by individual selection by the Secretary-General and Director, respectively, or by principal officers acting under their authority. In 1921 a special committee of experts reported to the Second Assembly that "this system of recruiting, which was the only possible one in the initial period, must be replaced, as a general rule to be departed from in very special cases, where the necessity for such departure can be established, by that of

| [46] Branch of Secretariat | British | French | Swiss | Italian | Japanese | German | Danish | Belgian | American | Others |
|---|---|---|---|---|---|---|---|---|---|---|
| General Organization | 25 | 18 | 9 | 11 | 4 | 10 | 1 | 3 | 1 | 29 |
| Central Services | 37 | 21 | 61 | 4 | 0 | 0 | 1 | 3 | 1 | 16 |
| Précis—Writing Dept. | 4 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| Personnel Office | 3 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Printing and Publications | 7 | 5 | 8 | 0 | 0 | 1 | 0 | 1 | 0 | 2 |
| Library | 1 | 0 | 6 | 0 | 0 | 1 | 0 | 0 | 1 | 7 |
| Accounting Branch | 4 | 0 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 5 |
| Registry of Publications | 13 | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 2 |
| International Control Office | 1 | 0 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 2 |
| House Staff | 0 | 3 | 39 | 3 | 0 | 1 | 0 | 1 | 0 | 2 |
| Liaison—S. America | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 |
| Special Organizations | 29 | 22 | 26 | 6 | 1 | 3 | 4 | 3 | 1 | 50 |
| Branch Offices | 4 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

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competitive selection. . . . ."[47] The committee asserted the desirability of procuring an equitable distribution of positions among member states, "always bearing in mind, however, the necessity of obtaining competent officials."[48] In accordance with the scheme approved by the Assembly in September, 1921, the Secretary-General has arranged that a candidate for a post in the Secretariat or in the International Labor Office shall send statements of his qualifications in writing.[49] Persons may be designated as candidates by officials connected with the League, by members of the governments represented in the League, or by direct application. If a candidate appears sufficiently promising, the Secretary-General may have him come to Geneva, where he is examined. If the results are satisfactory, he is given a position, with the understanding that the first year of his service is probationary. It is necessary for an applicant to show that he has diplomatic ability in dealing with officials of other states in intricate international situations, that he is a specialist adequately trained in the field which he hopes to enter, and that he is able to speak several languages.

Members of the Secretariat have, in fact, been recruited chiefly from persons who have had practical experience in the fields of their specialization.[50] In some cases they have come from the civil service of their own state, either with or without an understanding that they might return to the national service after a designated period of years. There has been criticism of this practice of accepting officials in the Secretariat who expect to return to their own country and resume a civil service position. Mr. C. Howard-Ellis comments as follows: "Some such arrangement has the advantage of keeping the Secretariat more closely in touch with the governments of the countries concerned, but an obvious danger, of course, is a loss of independence and too great attention to purely national points of view. The danger is that an official should come to look upon himself as the representative of his government or foreign office at Geneva and his stay at Geneva as only a step in his career in his home service. On the whole, it would seem preferable that Secretariat officials should be free from any ties of this sort, and that their intimacy with and influence on the

[47] *Records of the Second Assembly*: Report of the Special Committee on the Organization of the Secretariat, p. 188.

[48] *Ibid.*, p. 188.

[49] C. Howard-Ellis, *op. cit.*, p. 195.

[50] *Ibid.*, p. 196.

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international policy of governments members of the League should be a direct "function" of the prestige of the League and their own usefulness and capacity to inspire confidence as its servants."[51]

The tenure of office in the Secretariat and the International Labor office was dealt with in the report of a committee of experts, adopted by the Second Assembly.[52] It is provided therein that "members of the higher staff," down to and including chiefs of sections, shall be appointed for seven-year periods, and may be reappointed only in exceptional cases. The purpose of this limitation of tenure is to make it possible for higher posts "to be filled by persons of any country whatsoever who are of recognized importance and widespread influence among their own people, and whose views and sentiments are representative of their national opinion."[53] The principle of frequent changes was regarded as "essential to make the League a living force among the nations." At the termination of the first period of seven years, a considerable number of exceptions were allowed, so that there would not be too large a turnover in the upper ranks of the Secretariat and Labor Office. Other officials of the two organs are on a seven-year basis, but with the understanding that their appointments may be renewed up to twenty-one years in some cases, and to twenty-eight in others.[54]

The removal of members of the Secretariat and the Labor Office was first dealt with in 1920 by the following resolution of the Assembly: "That all members of the Secretariat and the International Labor Office appointed for a period of five years or more by the Secretary-General or the Director of the International Labor Office shall, in the case of dismissal, have the right of appeal to the Council or to the Governing Body of the International Labor Office, as the case may be."[55]

In 1927 the above resolution was abrogated by the Assembly and a new one was adopted, creating, as from January 1, 1928, a League of Nations Administrative Tribunal, with the understanding that in 1931 the continuance of the organ shall be reconsidered.[56] The nature of this tribunal may be seen from the following article (11)

[51] C. Howard-Ellis, *op. cit.*, p. 196.

[52] *Records of the Second Assembly*: Report of the Special Committee on the Organization of the Secretariat, pp. 189–190.

[53] *Ibid.*, p. 189.

[54] *Ibid.*, pp. 190–191.

[55] *Official Journal*, Special Supplement 1–6: Resolutions Adopted by the Assembly during its First Session, p. 24.

[56] *Official Journal*, 9th year, No. 5 (May, 1928), p. 751.

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taken from its statute: "The Tribunal shall be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the Secretariat or of the International Labor Office, and of such provisions of the Staff Regulations as are applicable to the case. The Tribunal shall be competent to settle any dispute concerning the compensation provided for by Articles 43 or 71 of the Staff Regulations of the Secretariat or Articles 96 *bis* or 61 *ter* of the Staff Regulations of the International Labor Office, and fix finally the amount of compensation, if any, which is to be paid. The tribunal shall be open: (a) to the official, even if his employment has ceased, and to any person on whom the official's rights have devolved on his death; (b) to any other person who can show that he is entitled to some right under the terms of appointment of a deceased official or under provisions of the Staff Regulations on which the official could rely."[57]

Under the statute, the Tribunal is composed of three judges and three deputy-judges, all belonging to different nationalities, who are appointed by the Council for a term of three years. Its decisions, taken by majority action, are final. A complainant may institute proceedings within ninety days of the time when the act of which he complains was committed, providing he has exhausted other means of redress and has deposited one-fiftieth of his annual salary, which may be refunded if it is shown that "there were sufficient grounds for presenting the complaint." The general expenses of the Tribunal are divided between the Secretariat and the International Labor Office "in equal shares or in such proportion as the Assembly may determine," while the expenses attributable to a hearing are borne by the administration against which the complaint is made. By Article XI the organ is empowered to draw up rules of court covering: (a) the election of the president and vice-president, (b) the convening and conduct of the sessions, (c) the practice to be followed in presenting complaints and in the subsequent procedure, and (d) all matters relating to the operation of the tribunal which are not settled by the statute. In accordance with this stipulation, a group of rules, embodied in fifteen articles and an annex, was adopted on February 2, 1928.[58]

The salaries of the members of the Secretariat and of the International Labor Office are published in the annual budget of the League, in accordance with a resolution of the Assembly adopted in

[57] *Official Journal*, as cited, pp. 751–752.
[58] *Ibid.*, pp. 753–756.

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1920.[59] The budget for 1929 provides for the Secretary-General a salary of approximately $20,000, and for the Director of the Labor Office, $18,000.[60] Other "international officials" of the Secretariat are arranged in sixteen main groups, some of which are still further subdivided, with minimum and maximum salaries attached to each group, excepting the first three. Highest in the list is the Deputy Secretary-General with $15,000, and the copying typists are lowest with incomes ranging from $1,200 to $1,600. Chiefs of sections receive from $8,200 to $10,600, and members of sections from $2,750 to $5,600. In the International Labor Office much the same sort of salary scale is being used for the "international officials."[61] Both the Secretariat and the Labor Office employ "locally recruited officials," as distinguished from the "international officials." This group is likewise classified and given allowances ranging from $2,300 to $480 in the Secretariat, and from $1,600 to $480 in the Labor Office.[62] In 1921 a salary adjustment committee was created to study the cost of living at Geneva and to make recommendations for alterations in salary schedules in conformity with its findings.[63] The committee is still active.[64]

While the retiring age in the Secretariat and the Labor Office is fixed at sixty years, no pension system has been devised. Officials on contracts which are renewable up to twenty-one or twenty-eight years are obliged to pay five per cent of their salaries into a provident fund, to which the League adds an equal amount. At the termination of an official's service, he is given, in lump sum, the amount accumulated to his credit, including interest.[65]

Three types of special allowances may be received by the members of the Secretariat and the Labor Office. For the highest officials, entertainment allowances are provided among the annual budget items, similar in nature to those which are given by a number of states

[59] *Official Journal*, Special Supplement 1–6: Resolutions of the First Assembly, p. 24.

[60] *Official Journal*, 9th Year, No. 11 (Nov., 1928): Budget for the Eleventh Financial Period (1929), p. 1859.

[61] *Ibid.*, p. 1875.

[62] *Ibid.*, pp. 1859, 1875.

[63] *Records of the Second Assembly:* Report of the Committee on the Organization of the Secretariat, p. 183.

[64] *World Peace Foundation Pamphlets*, vol. 11, No. 2: "Eighth Yearbook of the League of Nations," p. 15.

[65] C. Howard-Ellis, *op. cit.*, p. 178.

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to diplomatic agents.[66] Other officers may draw on a general fund maintained for that purpose. The "locally recruited officers" are allowed a bonus of thirty dollars a year for each child under the age of 18.[67]

In addition to the Secretariat proper, there are several other organizations in the League which require the services of a permanent staff. Most important among them are the special organizations dealing with economic and financial questions, health, and communication and transit. Each commonly includes thirty-five or forty persons. The minority commissions, the Opium Board, and the International Relief Union are also organs with permanent staffs, and the personnel of these bodies is also classified for purposes of remuneration. The members are not selected and governed under the same rules that apply to the members of the Secretariat and the Labor Office, being usually experts, appointed in some instances by the Council and in others by the governments which they are expected to represent.[68] Where the Council makes the appointments, it is customary to do so after consultation with the governments concerned. Governmental appointees are frequently taken from the internal services of their respective states.

*Conclusions.* As the field of international administration widens, increasing attention must be given to personnel problems. The possibility of a unified civil service system for the recruitment and management of the personnel of all administrative organs naturally suggests itself; but the idea is both unsound and unwise so long as the agencies themselves are distinct. The supervision by the League of Nations, under Article 24 of the Covenant, of those public bureaus and commissions which have agreed to accept it, does not imply any centralization of personnel control.[69] There is no discernible tendency toward any form of centralization in this field, and consequently the *status quo* is likely to continue for some time. Fortunately, the waste is not great. Nevertheless, future expansion of the field of international administration may be expected to give the subject a considerable degree of importance.

NORMAN L. HILL.

*University of Nebraska.*

[66] In the Secretariat the following officials receive such allowances under the provisions of the budget: Secretary-General, Deputy Secretary-General, and Under-Secretaries General. In the Labor Office, the Director and Deputy-Director are included. See *Official Journal*, 9th year, No. 11, pp. 1859, 1875.

[67] *Ibid.*

[68] *Ibid.*, pp. 1808–1821.

[69] *Handbook of International Organizations* (Geneva, 1925), pp. 7–8.

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# NEWS AND NOTES

## PERSONAL AND MISCELLANEOUS

*Compiled by the Managing Editor*

As announced in earlier issues of the *Review*, the twenty-fifth annual meeting of the American Political Science Association will be held at New Orleans on December 27–30. Headquarters will be at the Jung Hotel. The first session will take place on December 27 at ten o'clock, and will be devoted to the general subject of impeachments. A subscription luncheon will follow at noon. Nine round-tables will hold meetings in the afternoon. They (with directors) are as follows: 1. Rural Government, C. M. Kneier; 2. National Administration, L. M. Short; 3. Training for Citizenship, Charles E. Merriam; 4. Pressure Groups in Legislation, P. H. Odegard; 5. Methods of Measuring Municipal Activities, Harold W. Dodds; 6. Psychology of Political Types, Harold D. Lasswell; 7. Public Personnel Policies; W. E. Mosher; 8. Recent Contributions to Political Theory, W. J. Shepard; 9 Legislatures and Legislation, A. R. Hatton. The Executive Council and Board of Editors will meet during the same afternoon; and in the evening presidential addresses will be delivered by Professor John A. Fairlie, of the American Political Science Association, and Professor Thomas I. Parkinson, of the American Association for Labor Legislation. The round-tables will hold their second meetings during the forenoon of December 28, and a subscription luncheon will be addressed by ex-President Frank J. Goodnow, of the John Hopkins University. An afternoon session will be devoted to foreign governments; the annual business meeting will be held afterwards; a joint subscription dinner with the American Association for Labor Legislation will be addressed by Professor Walton H. Hamilton, of Yale University; and the day will close with an evening session on international relations. On Monday, December 30, the forenoon will be devoted to a joint meeting with the Association of American Law Schools on the subject of judicial reorganization. A subscription luncheon will be addressed, on the subject of police administration, by Mr. August Vollmer, of the University of Chicago. The last series of round-table meetings will take place during the afternoon, and will



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include one devoted to city-county consolidation, directed by Thomas H. Reed, and one on types of appeals in presidential campaigns, directed by W. Brooke Graves. It may be added that the round-table dealing with pressure groups will be directed at its second meeting by Edward B. Logan, and at its third by E. Pendleton Herring; also that on the last two days there will be a round-table on state administration, led by L. M. Short.

Dr. Jeremiah W. Jenks, research professor of government at New York University and president of the Alexander Hamilton Institute, died at his home in New York City on August 24.

Mr. J. W. Manning has been appointed part-time instructor in the department of political science at the State University of Iowa for the current year.

Mr. Robert S. Lynd, who has been on the staff of the Social Science Research Council for a number of years, has been made permanent secretary of the organization.

Mr. R. G. Corcern has been appointed instructor in political science in the Louisiana State Normal College.

Dr. Roy E. Brown, recently appointed assistant professor of political science at the University of North Dakota, has been chosen secretary of the North Dakota Municipal League.

Dr. Hugo Wall, of Stanford University, has been appointed head of the department of political science at the Municipal University of Wichita.

Dr. Plato Lee Gettys has been appointed assistant professor of political science at the University of Oklahoma.

Mr. Charles W. Shull, graduate student at Ohio State University, received the doctorate in August and has become an instructor in political science at the University of Kentucky.

Dr. John W. Pfiffner, who has been teaching at the Municipal University of Wichita, has accepted a position as assistant professor of public administration in the School of Citizenship and Public Administration at the University of Southern California.

Professor Linden A. Mander, of the department of political science at the University of Washington, delivered several lectures during the

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summer at the University of Mexico on the subject of the British Empire. Professor Francis G. Wilson, of the same institution, spent the summer in European travel.

Dr. Bessie L. Pierce, formerly of Iowa State University, has accepted a position on the social science staff at the University of Chicago in connection with the Local Community Research Committee. Her work will be devoted primarily to the history of Chicago.

Mr. Benjamin E. Lippincott, whose graduate work in political science was done at Oxford and the London School of Economics and Political Science, has joined the staff of the political science department at the University of Minnesota as an instructor. His special field is recent political theory, and he will have charge of the course in elements of political science.

Professor A. B. Butts, of Mississippi Agricultural and Mechanical College, is giving the courses in state and local government at Yale University during the absence of Professor Milton Conover, who is spending the year in Europe.

Dr. Frank M. Stewart, of the University of Texas, has been promoted from associate professor to professor of government, and has been appointed chairman of the department of government for the next biennium.

Dr. Charles M. Kneier has been promoted from an assistant to an associate professorship in political science at the University of Nebraska. Mr. Lawrence Durisch, a fellow in political science during the past year, has been appointed to an instructorship for 1929–30.

Professor Graham H. Stuart, of Stanford University, is spending his sabbatical year in a study of the international administration of Tangier. He has been appointed visiting Carnegie professor at the Universities of Montpelier, Poitiers, and Toulouse. Dr. Harold H. Sprout, who recently completed his graduate work at Wisconsin, is in charge of Professor Stuart's courses during the year.

During the summer, Professor Finla G. Crawford, of Syracuse University, received the Democratic nomination for the office of mayor of Syracuse.

Under the auspices of a joint committee appointed from the two houses of the legislature and by Governor Roosevelt, a comprehensive

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survey of the public service commission laws in New York state is being made by the members of the faculty of the School of Citizenship and Public Affairs at Syracuse University. Hearings, begun in October, are to be participated in by outstanding commissioners from other states, technical experts both from New York and from elsewhere, representatives of the utility companies, and other interested parties. The survey is under the general direction of Professor William E. Mosher.

Mr. William Watts Folwell, first president of the University of Minnesota (serving from 1869 to 1889), died at Minneapolis on September 18. Mr. Folwell was professor of political science at Minnesota from 1875 to 1907. He was a participant in many important public movements and services, and in his last years devoted his efforts to the writing of an excellent four-volume history of Minnesota, which was completed, and the preparation of his reminiscences, which were incomplete at his death. In 1925 he received the only degree of LL.D. ever conferred by the University of Minnesota. The rule against the conferring of honorary degrees was broken in order to honor the man who established the rule.

In connection with the annual conference of the Social Science Research Council at Hanover in August, representatives of social science research councils in eight universities held a series of three meetings to discuss common problems. The meetings were attended by Professors Schlesinger of Harvard, Slesinger of Yale, McBain of Columbia, Gee of Virginia. Odum of North Carolina, Handman of Texas, Wildman of Stanford, and White of Chicago.

The University of Chicago is holding a Police Conference on November 11 and 12. The meeting is to be devoted to the problem of uniform annual reports and uniform police statistics, following up the work of the committee of the International Association of Chiefs of Police on uniform crime records. Invitations have been extended to the larger police departments of the United States. Chief Vollmer is the director of the conference, Chief William P. Rutledge of Detroit is associate director, and Mr. Bruce Smith is consultant.

The dedication of the Social Science Research Building at the University of Chicago will take place on December 16 and 17, in connection with the autumn convocation. While plans for the dedication ceremonies are not complete at the time of writing, it is definitely known

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that Sir William Beveridge, director of the London School of Economics and Political Science, and Professor C. Bouglé of the Sorbonne, will be present. Sir William Beveridge will deliver a series of six lectures on unemployment in Great Britain. A representative of German scholarship will also be present, and invitations have been issued to distinguished representatives of the social science group in the United States. The University cordially invites members of the American Political Science Association to inspect the building when occasion permits.

The latest regular session of the International Institute of Public Law was held at Paris, June 22–24, 1929. The subjects discussed by scholars from various European countries included the state of representative government, new tendencies in connection with declarations of rights, the popular initiative and referendum, and the rules of constitutional law in connection with the making and ratification of international treaties. The meeting was participated in by Professor James W. Garner, of the University of Illinois.

The first School of City Planning in this country was established at Harvard University this autumn with the aid of the Rockefeller Foundation. The new school is to be a graduate professional school, coördinated with the existing schools of architecture and landscape architecture. The nucleus for it was supplied by a chair of regional planning, given to Harvard by Mr. James F. Curtis at the close of the last academic year in memory of Charles D. Norton, who inspired the Regional Plan of New York and presided over its earlier developments. The function and purposes of the new school will be not only to train men to be professional city planners, but to give a sound conception of city planning to men who are going to be architects, landscape architects, engineers, or leaders in various public endeavors, so that they may be efficient coöperators in the comprehensive field of city planning.

The Labor government in England has definitely promised to make provision for a conference on electoral reform, and the chairmanship has been accepted by Lord Ullswater, formerly speaker of the House of Commons. The activities of this conference may be expected to engage the attention of all students of political science. In anticipation of the inquiry, the Proportional Representation Society has issued two new pamphlets, one (No. 66) dealing with the statistics of the general

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election of last May, and the other (No. 67) examining the various proposals for electoral reform.

The International Institute of Intellectual Coöperation has endeavored, since its establishment, to promote coöperation between institutions for the scientific study of international relations. A first meeting of the directors of such institutions was held on invitation of the Institute in March, 1928, at the Deutsche Hochschule für Politik, Berlin. At a second meeting, held in March, 1929, at the Royal Institute of International Affairs in London, it was decided to draw up a preliminary scheme for a handbook or lexicon of political terms. This decision was based on a memorandum submitted by Professor Wilhelm Haas, of the Deutsche Hochschule für Politik, emphasizing the fact that confusion and misunderstanding are constantly being caused by the inaccurate use or imperfect comprehension of political terms. The difficulties which arise in this connection were said to be of a two-fold character—first, in connection with terms (e.g., law, droit, recht, diritto) which have a slightly different meaning in different languages, so that a literal translation is necessarily misleading, and second, in connection with terms, often in constant use (e.g., trustee, ordonnance, dominion, commonwealth, covenant), which are peculiar to individual countries and therefore do not lend themselves to exact translation. It is not intended to aim at the production of a work of the scale and scope of a scientific dictionary, but simply of a handbook convenient for reference, giving concise definitions which will meet the practical needs of the large and growing class engaged in the handling of public affairs in the international field. On the other hand, it is not desired to confine the work to the field of public law and political science in the narrower sense. Economic, sociological, and even geographical, terms are to be included, provided they fall within the two classes mentioned above.

Twenty-eight students from twenty-three colleges and universities in almost as many states met with an equal number of British students last July and discussed the renunciation of war and the acceptance of arbitration, disarmament, and international coöperation. The opening session of the conference was held in the Mansion House in London, the Lord Mayor presiding, and Viscount Cecil and Mr. Earle Babcock, of the European Center of the Carnegie Endowment for International Peace, making the principal addresses. The American and British students then went to Merton College, Oxford University, where

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they divided into three commissions. Each commission studied and discussed one of the subjects and afterwards submitted resolutions to plenary sessions of the conference for action by the entire group. It is noteworthy that differences of opinion which developed were not between American and British delegations but between majorities and minorities, each frequently containing representatives of both nationalities. The American students, equally divided between men and women, were selected from international relations clubs, on the basis of scholarship and participation in school activities, by the clubs' national secretary, Miss Amy Jones, of the Carnegie Endowment, assisted by Professor Clyde Eagleton, of New York University. Miss Jones, with Professor Eagleton and Professor Howard White, of Miami University, as faculty advisers, accompanied the group. After the conference, the American group spent three weeks on the Continent, studying the work of the principal agencies of international government and visiting places of interest in Holland, Switzerland, and France. They attended a session of the Permanent Court of International Justice and were addressed by the registrar of the Court, Mr. Hamarskjold. A special course was arranged for them at the Geneva School of International Studies. A similar conference, to meet at some American university, will probably be convened within the next two years.

The following statement from Professor William Anderson, who has been in charge of the personnel service set up experimentally by the Policy Committee of the American Political Science Association, will be of interest. "The Personnel Service was established under the authority of the Committee on Policy, and was provided with funds for a single year. The purpose was to ascertain, by this experiment, whether or not a personnel service for the American Political Science Association would have a real value in placing men where they could do the most good. Because funds were limited and the time for preparation was short, it was agreed that the service should in its first year limit itself substantially to the placement of those who had recently obtained their doctor's degrees, or who were about to obtain them. A total of thirty-three names of such persons were obtained in time to be included in a mimeographed list. A number of others came in too late to be included, and about a dozen other persons who wished to have their cases handled more confidentially also submitted their names and the requested personnel information. The mimeo-

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graphed list was sent to practically all colleges and universities in the country having more than about three hundred students. Junior colleges, normal schools, and teachers' colleges were not included in the list. No follow-up letters were sent to the institutions which received the mimeographed list. In the course of the spring and early summer about twenty institutions made direct inquiries of the Personnel Service concerning men. It is evident that some institutions used the list without writing such letters of inquiry. A check-up made early in June revealed that at that time about half of the men named in the mimeographed list had already received appointments, and subsequent correspondence reveals that practically all of the men were placed in college and university positions. Whether this was in large part due to the Personnel Service it is hard to say. The women whose names appeared in the list evidently had less success in finding satisfactory college positions. The Committee on Policy, which now has its report practically ready, will not continue the Personnel Service during the present academic year. If its plans for increasing the services of the Political Science Association are carried out, a permanent personnel service will be established at the central office of the Association. The limited experiment of this year has shown that such a service can be useful, but it has also made evident the fact that someone must be permanently charged with the responsibility if the service is to achieve a maximum of usefulness."

**The Study of the Ill as a Method of Research into Political Personalities.** The student of political behavior would like to know why some people lead and others follow, why some rebel and some conform, why some are ruthless and others are conscientious. In some degree, this question can be answered for particular communities by the collection of data about the economic and religious and racial affiliations of those who gain, and those who never attain, political power.[1] Data of the type available in *Who's Who* are inadequate to supply the investigator with enough material to answer several important questions. Why do members of the same family, living in the same community, attending the same schools, subjected to the same racial, ecclesiastical, and economic environment, differ so widely in their traits and interests? Why is one brother a driving administrator and another a plodding routineer? Why does one brother be-

[1] One of the most exhaustive studies of this kind is Fritz Giese, *Die öffentliche Persönlichkeit* (Leipzig, 1928).

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come a public advocate of fundamental changes in society, while another quietly accepts the established order? Why does one brother write books in political science and political philosophy, while another creates a political machine?

Political and social science depends upon autobiographies, biographies, and aphorisms to familiarize the student with the many factors which differentiate one human personality from another. But it is no secret that the usual literary autobiography or biography omits or distorts much of the intimate history of the individual which modern science has come to regard as important.

Where is it possible to secure a supply of life histories in which the usual conventionalities are ignored, and which are acquired by specialists in the sociological, psychological, and somatic influences which play upon the individual? There exist in our modern societies several sizeable collections of such material which have hitherto received slight attention from students of social science. I refer to the case histories of those individuals who are ill, and especially those who suffer from mental disorder.

The case history of a patient in a good mental hospital is a document to which many individuals contribute. There is the record of the physical condition of the individual, as revealed by an examination at the time of his admission. This may be supplemented by transcripts of previous and subsequent investigations. There is also the record of the routine psychometrical test performances of the subject. There is the report of the preliminary interview and diagnosis by a psychiatrist. This is amplified by a transcription of the record of a staff conference attended by the whole body of physicians and psychiatric social workers attached to the hospital. The usual routine is for the physician and social worker in charge to present a summary of the case, to present the patient for observation, and to consult upon the diagnosis and therapy after the patient has been escorted out. The patient may be presented at several staff conferences for the purpose of discussing whether he is in a condition to permit of release, parole, or transfer. During his stay in the institution the nurses, as well as the physicians who make rounds, add their descriptive comments upon the behavior of the individual. The social service department gets in touch with relatives and acquaintances for the purpose of presenting a biographical picture of the subject. Occasionally the patient will volunteer an autobiography which is filed with his record. Correspondence with individuals interested in the case at various stages will often bring out valuable side-lights.

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Due to the growing emphasis upon the importance of understanding personality as a functioning whole, modern medical men are increasingly willing and anxious to assemble all the data about the family, business, recreational, and other behavior of the person. From this they are able to judge whether or not some pathological symptoms are to be regarded as especially ominous. The modern emphasis upon the rôle of revery and preoccupation in the development of traits and interests leads to the inclusion of much data about the night-dreams, day-dreams, ambitions, grievances, enthusiasms, and loyalties of the person. All this sociological and psychological material increases the value of the case record for the person who wants to use it for the purpose of understanding the genesis of social traits and interests.

Sometimes the case histories concern people who are normal, but who for one reason or another have been committed for observation. The German government was not the only one in the late war which resorted to the expedient of avoiding the appearance of dissension by turning over certain pacifists to a mental hospital. The records obtained in such cases are very intimate, and are of people who were without psychosis.

Quite often the specifically pathological features in the history are very meager. One prominent politician (a mayor of a large city) was brought into a mental hospital suffering from delirium tremens. He was only "insane" when he was passing through this alcoholic episode, and was immediately released. But the record of what he said and what he did during the delirium casts a brighter light on the deeper motivations of his political career than many pages of conventional biography. Since he was no longer able to maintain his repressions, his inner phantasy life came into the open.

For many reasons, full advantage has not yet been taken of the opportunities afforded by convalescence and care in hospitals and sanitariums for the collection of valuable life histories. During various phases of illness and convalescence, many individuals are perfectly willing to fill in the time talking about their philosophy and practice of living. Those who suffer, for instance, from certain forms of mental disorder are troubled only occasionally by delusional ideas. During the clear periods they are to all intents and purposes normal, and are often gratified if anyone takes sufficient interest in them to solicit more details of their life stories. Another form of mental disorder is characterized by the fact that the patient's difficulties center about a single system of ideas which, if left untouched by the interviewer, permits him to be dealt with as an ordinary individual.

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The interviewers who may be used to increase the value of current record-taking for the common progress of the human sciences may be selected from social scientists who are given special psychological training and attached to hospital staffs; or from psychiatric social workers who are given special training in politics and economics; or from socially interested physicians who receive special social scientific instruction. Needless to say, the documents can be taken and used only under the customary guarantees respecting anonymity.

Perhaps it ought to be emphasized that inmates of mental hospitals, or patients of private practitioners, are not the only sufferers who may be suitably approached for life histories. Many of the people who are immured for considerable periods in rest-homes and hospitals are the victims of ordinary organic ailments, remain in full possession of their faculties, and are glad to relieve the boredom of an enforced idleness by pouring out the details of a career which, under other conditions, they would be too busy or too reluctant to reveal.

The recent efflorescence of medical psychology has not only added to the number of reliable intimate life histories which are, under suitable guarantees, available for comparative purposes, but it has supplied a set of technical procedures which may be applied, and of tentative hypotheses which may be tested, in the case of any personality, be he ill or well. The "complex indicators" which were developed by Jung may be used (in modified form) for anyone for the sake of showing by reaction-time variations which stimulus words have special affective significance to the individual. Effort may then be directed toward the recovery of the situations in which these terms acquired their special value to the person. The technique of the interview as developed by Freud and modified by others is likewise capable of direct application. Many devices have been developed to draw from the individual those random gestures, word-slips, and concentrations of affection and hostility which facilitate the production of significant memories and the diagnosis of unconscious trends.

Thus it is possible to set about the task of securing an ample control group of "normal" cases against which conclusions which are devised largely on the basis of pathological subjects can be checked. Two principal lines of approach are possible. Certain individuals are willing to submit to psychological analysis for scientific reasons. They see the desirability of having such a control series from successful people, and they are willing to place themselves at the disposal of a scientifically trained interviewer, understanding that they are to be examined

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just as thoroughly as though they were pathological cases. There is an increasing company of younger men and women who feel themselves perfectly normal, who want to see whether such a sustained psychological procedure will, after all, give them a deeper understanding of themselves and others. Since they have no fear of the consequences, they are willing to satisfy their curiosity to see whether there is anything in modern medical psychology which will seem important to them after they have tested it.

The second line of approach is to those individuals who suffer from some relatively minor morbidity which they hope to see removed as a result of a psychological examination to which they submit themselves for scientific purposes. Light depressions, simple bodily (hysterical) symptoms, such as headaches, constipation, biliousness, and insomnia (when adequate physical cause is undiscoverable) are often found in individuals who suppose themselves, and are supposed by others, to be normal.

It would be advisable for a responsible body of social scientists to reflect upon the possibility of creating machinery by which especially prominent figures could be reached for intimate study, under especially rigorous guarantees that the document would be kept confidential for a certain number of years, or would be exposed for comparative purposes under very special safeguards.

Some immediate practical advantages arise from the study of the mentally disordered. The modern political and business administrator ought to be able to detect at least the cruder manifestations of certain psychotic processes which are not infrequent, and which, unless promptly referred to medical attention, may create enormous difficulties inside an administrative organization. This is especially true of the elusive paranoid types, the external features of whose personality are well preserved, and whose power for harm is in consequence much greater. Many of the accusations and scandals of public life are instigated by men whose psychotic condition could have been recognized by a trained superior, and whose pathological extremes might have been aborted by preventive therapy. The modern public school teacher is supposed to see that Tommy is suffering from adenoids, but the modern administrator is not expected to see that his subordinates need expert aid before a crisis is precipitated. The rôle of preventive therapy, tactfully arranged by the administrator, is much greater with those individuals who show psychoneurotic symptoms than with those who reveal signs of psychotic disturbance.

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Even where therapy is out of the question, the administrator who has carefully studied the art and the science of reading a life history is able to handle certain classes of subordinates with greater success than one of equal ability who lacks this measure of sophistication. There is a rather clearly marked type of individual who is able to function as a valuable member of an administrative hierarchy as long as he has a firm, but very patient and indulgent, superior. When the superior bears down on him, he becomes unreliable and inefficient. Some administrators have enough insight into human nature to deal patiently with such subordinates; but other men, vexed at the superficial cocksureness of this type, are very likely to get out of patience shortly. It is probable that the study of life histories of men of this kind (conducted by one technically able) would give some of these administrators sufficient insight into the deep and uncontrolled character of the motivations of such subordinates to restrain them from disorganizing and futile outbursts of intolerance.

The study of the ill broadens human sympathy and understanding in many subtle and fundamental ways. The naïve popular idea that the "insane" are a degenerate species quite apart from the "normal" quietly disappears. In its place rises the conception that the frontier between what, in a given culture, is supposed to be "normal" and what is supposed to be "abnormal" is not a cliff but a slope. Neurotic symptoms and traits are never entirely absent from any life history. That is why there is little need to fear that case histories taken from the sick are likely to differ too profoundly from the case histories taken from the well.

Political science can with profit revise its interpretations of human nature in the light of the intimate histories taken from those who are to be found at various times under medical care, extend many medical psychological methods to the study of the normal, and include some medical psychological instruction in the education of its would-be administrators, political managers, political biographers, and political theorists.[2]

HAROLD D. LASSWELL.

*University of Chicago.*

[2] For a discussion of the limitations of existing records, see my article, "The Problem of Adequate Personality Records; A Proposal," in *American Journal of Psychiatry*, May, 1929.

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**An Experiment in By-Product Teaching.** The observation here described was planned in answer to the question, Can the by-product method of teaching be profitably applied to the subject of political science? By the by-product method is meant the selection of certain mental powers or habits which are of special importance (in the settlement of government questions, for example) and the conscious direction of the student's attention to the development of these mental powers. The question is of some practical moment because the study of government is supposed to lend itself peculiarly to the formation of some such mental habits, although this fact has never been demonstrated. In making the experiment it was decided to concentrate on a single mental process, i.e., analysis, embracing (a) the detailed *scrutiny* of a subject, (b) the *dissection* into its parts, (c) the appraisal, or *evaluation*, of the parts, and (d) the *selection* of those which are essential.

The question then became, What would be the effect of a vigorous cultivation of analysis, with the aid of timely "advertising" to the student, during the ordinary operation of a course in government? Is it feasible to arrange the material of such a course so as consciously to develop the power of analysis? And if so, could this increased power be applied in other subjects outside the field of government? If we answer "yes" to these questions, the conclusion may well be that some readjustment of our present methods of teaching political science can profitably be undertaken.

The following specifications were laid down for the experiment: (1) the instruction in analysis must be a part of the regular course work, using course material; (2) it must be concentrated within a comparatively brief period, in order that if any change in analytical power took place it could not be attributed to the general mental growth of the student; (3) two tests of equal difficulty must be given, one immediately before and one after the period of training in analysis; (4) the tests must be in a field outside the domain of the course, in order that any possible change which might be registered in the second test could not be ascribed to a better general knowledge of the subject as a whole; (5) the tests must be focused chiefly on ability to analyze; (6) the tests and the intensive instruction in analysis must be given to a sufficiently large number of students to show a general average or trend.

Certain features of the intensive training were also fixed in advance: (1) the students were not informed at the time of taking the tests of their exact purpose; (2) they were, however, constantly re-

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minded of the value of the analytical process and of its component parts or steps—detailed scrutiny, dissection, evaluation, and selection. Their interest was spurred by repeated reference to men in public or business life who showed especially keen analysis in their statements. Instances were frequently brought up to show illustrations of faulty or good analysis. The varied uses of this mental power were often mentioned. In short, the student was made to feel that the possession and development of this quality ranked high in importance. Analysis was advertised and sold to the student. In order that the training in analysis might not detract from the regular work of the course, but be an aid to it, most of the examples quoted, and all of the exercises given, were taken from the subject-matter of the course; and intensive training was carried on during a four-week period.

Opening with a sixty-word statement describing the chief steps in analysis and an invitation to try them on the regular course material, a four-week campaign was conducted, during which the student himself prepared five exercises and received ten comments or reminders from his instructor. The exercises, in brief, were: *No. 1.* A series of statements, 350 words in all, about the U.S. Secret Service, the *Literary Digest* poll of the presidential vote, and the Kellogg peace treaty. The student was asked to distinguish between statements of fact and statements of opinion. *No. 2.* A selection from Burke's "Conciliation with the Colonies," accompanied by three outlines or summaries of this selection. The student was asked to state which summary was the best, and why. *No. 3.* A summary of the decision in Pensacola Telegraph v. Western Union, giving (a) facts, (b) questions at issue, (c) decision, and (d) reasons for decision. The student was asked to build a similar summary of the decision in the Daniel Ball case. *No. 4* A paper giving the four most important points in the speeches of Mr. Hoover at Newark and Governor Smith at Denver. *No. 5.* A highly detailed analysis of a lengthy assigned reading, showing which parts were essential, and why. Interspersed with the exercises were ten comments on or illustrations of successful or poor analysis by men in public life, or by newspapers and magazines, in comments on public affairs.

Two analytical tests of equal difficulty, one immediately before and one immediately after the period of training, were conducted. In order to insure equal difficulty, the tests were submitted to a committee of five experts, under the direction of Dr. Leroy A. King, professor of educational measurements in the University of Pennsylvania. The committee certified that the second test was at least as difficult as the

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first, and some members thought it more so. Both tests were chosen from the field of dream psychology, being condensed summaries of articles on this subject. The student was asked to read these and then answer five questions concerning the material read, the questions being so framed as to require an accurate comprehension and evaluation of the material. The tests and exercises were prepared and conducted by Mr. Edward W. Carter and members of the staff in charge of Government 1. The subject covered by the tests was new to the student, the class having not yet taken up the study of psychology. A standard set of answers was arranged for grading to assume uniformity, and the same staff graded the answers in both tests.

Two hundred seventy-seven students took the first test and 279 the second. An improvement in analysis of 14.9 per cent in the average grade per student was registered. A small segregated group of seventeen exceptional students showed higher ratings in both analysis tests and a better than average rate of improvement. These results confirmed those of a similar experiment made in the previous academic year. In that year, however, the training was less intensive. Only one-half as much attention was devoted to the by-product, and an increase of nine per cent in the average grade on analysis was shown.

JAMES T. YOUNG.

*University of Pennsylvania.*

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# BOOK REVIEWS AND NOTICES

EDITED BY A. C. HANFORD

*Harvard University*

*The Duk-Duks.* By Elizabeth Ann Weber. (Chicago: University of Chicago Press. 1929. Pp. xix, 142.)

*Civic Training in Soviet Russia.* By Samuel N. Harper. (Chicago: University of Chicago Press. 1929. Pp. xvii, 401.)

*Great Britain: A Study of Civic Loyalty.* By John M. Gaus. (Chicago: University of Chicago Press. 1929. Pp. xxi, 329)

In these volumes we have an installment of a series of studies in civic education in the leading countries of Western civilization, under the direction of Charles E. Merriam—a guarantee of competence, good humor, and intelligence. The individual contributors have been given a free hand, subject only to the broad limitations of the program. Each volume must include an inquiry into "the various social bases of political cohesion" and a discussion of "the various mechanisms of civic education." In detail, the editor has asked all his colleagues to consider the part played by social groupings in the state, with special reference to business, agricultural, labor, racial, and religious affiliations. He has likewise suggested to them the importance of a survey of government services, political parties, patriotic organizations, the press, formal education, and political symbolism in relation to the development of civic loyalties and competitions. In respect to methodology, the "newer" or "newest" psychological approaches are to be employed.

With this sailing chart in hand, Mr. Merriam's explorers have set out on voyages of discovery. Dr. Weber opens by making an examination into the schemes, traditions, and ceremonies connected with training and inducting young people into citizenship among primitive, ancient, and mediæval feudal societies. The title of the volume—derived from "Duk-Duk," a cry that initiates the ceremonies by which young men of the tribe become citizens in Melanesia—gives the clue to the ritualistic symbolism and rigid procedure by which youth is subdued to ancestral interest and tradition. With decided ingenuity and careful scholarship, Dr. Weber draws a concise picture of civic



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ceremonial among the peoples she has chosen to study. The upshot is a novel and diverting volume, as amusing as it is grave. To her descriptive sections she has added some pertinent observations on the future of civic discipline. She recognizes that it is scarcely possible for Congress to prescribe war paint and mutilation as a prerequisite to naturalization, for, as she says truly enough, modern society lacks "unanimity of religio-magical conviction"—at least outside of Italy and Russia. Doubtless in Fascism and Bolshevism there is a certain return to the iron dogmatism current among earlier societies. Whether amid the individualism and skepticism of democracies it will be possible to develop a "rebirth of passion for active citizenship," our author has many misgivings. If, indeed, we are to return, under the benign auspices of the Daughters of the American Revolution, to "Duk-Dukism" pure and simple, then many loyal Americans born in the spacious days of General Grant, Roscoe Conkling, and Credit Mobilier may thank God that their shadows fall far to the East.

Appropriately enough, Mr. Harper attacks the modern age with a study of "Duk-Dukism" in Soviet Russia. With a detachment that is almost as cooling as the atmosphere of an adding machine, he describes the Communist party, the Communist young people's organizations, periodical publication, the Soviet state trade unions, civic and coöperative societies, museums, general and political education, literature, art, radio, kino, and theater under the Soviet régime. From his fact-analysis, it appears that everything in Russia is subjected to Marxist-Leninist ideology—at all events, nearly everything except mathematics and bacteriology; and the highest concern of the dictatorship is training for citizenship in a communist society. Evidently Mr. Harper has searched widely and dug deeply. The result of his labors in composition is a steel engraving of the ideal society as mirrored in the minds and practices of its Bolshevik masters—an extraordinary book, highly creditable to American scholarship, invaluable for the study of contemporary Russia, a real contribution to political science.

From orthodox Russia we pass, under the genial guidance of Mr. Gaus, to that magnificent combination of discipline and chaos known as Great Britain. This mixture of tradition, capitalism, socialism, police administration, empire, and anarchy is surveyed under the following heads: obligations of citizenship, personification of the state ("God Save the King," etc.), the influence of (geographical) place, citizen and empire, citizen and politics, personal service of the state, school system, higher education, newspaper press, economic institu-

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tions, the woman citizen, civic influence of religion, and civic attitudes. Mr. Gaus is less matter of fact, less exhaustive, less systematic than Mr. Harper—and within his rights. In contrast with the latter's steel engraving, here is an impressionist picture of British society worthy of being hung in any good gallery of modern art. As such, it is appropriate to the subject, and entertaining besides. For example, instead of giving us an analysis of the various education acts, for instance, 23 Victoria, c. 12, or whatever it may be, Mr. Gaus includes such "gems of thought" as this extract from a speech by a member of a British patriotic society respecting the civic upbringing of the proletariat: "In Pentonville we have the children in on Friday evening, with their dirt and everything. We are going to teach them to love Old England, the King, and the Empire, and to feel jolly well proud of themselves." Much more illuminating this than "Be it enacted, etc." True-born Britishers, no doubt, will contend that Mr. Gaus has not penetrated to "the soul of Britain," for they do not admit that even Henry James could make the grade. But it will do them no harm to look at themselves in Mr. Gaus's mirror. John may be fatter than Sam, but the resemblance is unmistakable.

Mr. Merriam is to be congratulated on his program and the parts thus far realized.

CHARLES A. BEARD.

*New Milford, Connecticut.*

*Principles of Judicial Administration.* BY W. F. WILLOUGHBY. (Washington: The Brookings Institution. 1929. Pp. xxii, 662.)

This is a notable volume, and as timely as it is notable. It offers what for all practical purposes is a complete analysis of the American judicial system and its deficiencies, a complete record of worthwhile criticism and of remedial suggestions, a complete chronicle and assessment of progress so far made and of results so far attained by way of reform. Incidentally it affords a splendid illustration of the opportunity open to the trained political scientist, especially one who has the added advantage of administrative experience, as Dr. Willoughby has, to make constructive criticism of American institutions, encrusted as they often are with an out-of-date legalism, and to show how they may be brought abreast of the best planning, both here and abroad, to meet modern conditions. In view of such an opportunity and the attendant necessity of educating an indifferent and ignorant electorate, no political scientist need feel his science to be useless.

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The truly admirable comprehensiveness of the volume before us, as well as its excellent arrangement, can best be shown by quoting, in order, some of the captions of its forty-four chapters: "Prevention of Crime and Litigation," "Administrative Adjudication," "Conciliation," "Arbitration," "Declaratory Judgments," "Advisory Opinions," "Department of Justice," "Office of Prosecuting Attorney," "Police," "Office of Coroner," "The Grand Jury," "The Accusatorial and Inquisitorial Systems of Criminal Enforcement," "The Judicial Function," "Systems of Courts in the United States," "Unification of the System of State Courts," "Judicial Councils," "Unified Municipal Courts," "Abolition of Justice of Peace Courts," "Small Claims Courts," "Juvenile and Domestic Relations Courts," "Methods of Selection of Judges," "Tenure of Office of Judges," "The Bar," "Legal Basis and Controlling Force of Rules," "Preparation of the Case," "The Trial: Rôle of the Judge," "The Trial: Production of Evidence," "The Petty Jury," "The Question of Appeals," "The Sentence," "Bail," "Office of Public Defender," "Legal Aid, Public," "Legal Aid, Private." It should be added that all of the chapters exhibit the same thoroughness of treatment and the same excellence in logical analysis.

The author's point of view is conveyed satisfactorily in the following passage from his preface: "Though constituting the primary function of government, there is probably no single thing that our governments do with less efficiency and economy than the administration of the law. Both our system of courts and their methods of procedure are almost universally recognized as unsatisfactory. In their practical operations, our courts are expensive both to the government and to litigants. They perform their work with great dilatoriness, and miscarriages of justice are frequent. So long has this unsatisfactory condition of affairs existed that an attitude of mind has obtained that these evils are in the nature of the task to be performed . . . . With this position the writer has no sympathy. He sees no reason why the same standards of efficiency should not be demanded of judicial officers and institutions that is required of administrative officers and services. To him the judicial branch offers problems of pure administration analogous to those obtaining in the administrative branch. Both have to do with definite problems of organization, personnel, and procedure" (pp. xii-xiii).

Adopting this point of view, Dr. Willoughby is able to draw a clean-cut distinction between the consideration due an institution as an historical relic and that which is due it as an actual implement of government. Again to quote his own words: "It is one thing to recognize the

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merits of a political institution as representing an advance over those which have preceded it and as meeting the conditions that prevailed at the time of its rise and development, and quite another to justify its continued maintenance after those conditions have passed away and new ones quite dissimilar have taken their place" (pp. 488-9). And again: "Politics is a science dealing with dynamic, not static, conditions. An institution or custom may well have been admirably devised to meet conditions existing at the time of its establishment and yet wholly fail to correspond to changed conditions. . . . . At all times and in respect to all political institutions, the maintenance of things as they are should be justified by their actual results under existing conditions" (p. 498).

These passages occur in discussion of the jury, but the same gospel of freedom to plan for the present, uncontrolled by the dead hand of the past, is reiterated with reference to the accusatorial theory of criminal prosecution (p. 207), the distinction between law and equity (p. 235), the dual system of courts existing in the United States (p. 248), the office of justice of the peace (p. 304), the archaic attitude characteristic of our courts toward procedural niceties (pp. 418, 426), the formalism of legal pleadings (pp. 442, 444), the entire structure of our law of evidence (Ch. XXXV). These features of our present system, and others, have all the irrelevancy to present conditions of historical accidents; "no country, starting with a clean slate and full powers of choice, would for a moment think of creating" them (p. 235).

But not only is this attitude interesting as the distinctive contribution of political science; it is also interesting in that absence of it in the past accounts so largely for the difficulties we find ourselves in today. Few lawyers know more than a modicum of history, and this modicum they usually sentimentalize. This, however, is by no means the only reason why the movement for judicial reform has heretofore made so little headway with the great bulk of the profession whose members constitute the bar, man the bench, and crowd our legislatures. By the case system of instruction the profession is fairly enjoined to stew in its own juice—"the accumulated wisdom of the ages." Besides, it would be expecting too much of human nature to demand that men who have spent years in becoming expert in a complicated game, their special knowledge of which is not only bread and butter to them but the basis of their self-esteem, should join enthusiastically in the abolition of that game, silly as it may seem to the outsider. And in this respect the American bench, speaking by and large, is at one

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with the bar, since, thanks to "the democratic movement," most American judges have always before them the prospect of returning presently to active practice. The result is that the average American judge hardly dares say his soul is his own, and is only too glad to turn over the direction of things in the court-room to counsel. As Willoughby brings out again and again, present conditions are often due, not to the law itself, but to the failure of judges to exercise the powers which the law gives them, as, for example, in granting appeals, in taking a hand in the choice of jurors, and in guiding the jury in its assessment of the evidence.

Fortunately, this is not the whole story, although far too great a part of it. In Chief Justice Taft and Mr. Root we see illustrious exceptions to the general indifference or hostility of the legal profession to reform proposals. Both are men who have had large administrative experience and have acquired the administrative point of view. Dean Pound of Harvard and Professor Sunderland of Michigan are eminent law teachers who have taken up the battle for reform; certain of the writings of the latter which are exploited in this volume are among the most valuable contributions that have been made to the cause (See his name in the Index). Also, as Dr. Willoughby himself avows in his preface, "but for the pioneer labor of Professor Herbert Harley (creator of the American Judicature Society, and founder and editor of its *Journal*) in the field of judicial reform in the United States," the present volume could hardly have been written (p. xiv). Nor should it be overlooked that very many of the reforms which Dr. Willoughby urges have already been inaugurated in one or more of the states in the Union. Indeed, it is one merit of the volume that it thus brings together the dispersed phalanxes—or better, raw recruits—of reform into a compact program, each item of which imparts to the others a new momentum toward a desired consummation.

A question of some interest suggested by the book but not specifically discussed is, What is the ultimate, distinguishing element of the judicial process; and the related question, To what extent is this indispensable to good government? The answer inferred by Willoughby to the first question is the contentious theory of justice. Are we, then, to look forward to the possibility of administrative boards, and the processes of arbitration, conciliation, and the like, entirely superseding the judiciary, or at least the theory of justice which it today so largely embodies? It would not be the first time in history that an institution which had proved itself obdurate to reform was simply outflanked and left in the rear of advancing civilization.

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The volume contains a large amount of quoted material. This in no wise reflects on the author's own power of lucid expression, which is demonstrated on every page. It is well chosen for both interest and emphasis, and furnishes an excellent introduction to the literature of this immensely important subject. The volume closes with a comprehensive bibliography of forty-five pages, and an adequate index. It is unfortunate, however, that the Institute for Government Research should have seen fit to clothe so distinguished a publication in such melancholy and altogether uninviting covers. The word "vote" at the bottom of page 428 should obviously be "veto," and the word "underrate" on page 452 was evidently intended to be "overrate."

EDWARD S. CORWIN.

*Princeton University.*

*Parliament and the British Empire: Some Constitutional Controversies Concerning Imperial Legislative Jurisdiction.* By ROBERT LIVINGSTON SCHUYLER. (New York: Columbia University Press. 1929. Pp. vi, 279.)

*Empire Government: An Outline of the System Prevailing in the British Commonwealth of Nations.* By MANFRED NATHAN. (Cambridge: Harvard University Press. 1929. Pp. 256).

In a book published in 1923, Professor McIlwain, of Harvard University, inquired when the American Revolution began, and supported the view that down to the appeal to arms the colonies were defending the constitution and Parliament was violating it by claiming unlimited powers of legislation in their affairs. He appealed to history. Since Ireland had its own parliament, the Irish nation was subject to rule from London only as far as it was under the same king. This view had the support of the great names of Flood and Grattan. They could not deny that the English Parliament had exercised authority in Ireland, but they held that this was limited to Parliament's rights as a judicial body interpreting the law alike for England and Ireland.

With great learning, Professor Schuyler controverts these opinions, and we have an interesting dispute between two distinguished scholars. They discuss not only the early legislative relations of the Irish and English Parliaments, but also the authority of the English Parliament over the Channel Islands and the Isle of Man, in the days before the wider question arose of power in relation to the English colonies. In the

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strange organism which we now call the British Commonwealth of Nations, the Channel Islands have a peculiar place. They are the remaining heritage of the Norman Conqueror who united England to his other possessions. They lie nearer France than England; they are prevailingly French in legal tradition; but they are not a part of France, nor are they a part of the United Kingdom, though they have the same sovereign. They are not represented in the Parliament at London. They make their own laws. Since Parliament does not tax these small communities, they have become a refuge for the dodgers of the high income tax in England. Yet, in spite of this independence, Professor Schuyler has no difficulty in showing that both for them and the Isle of Man, which is in a similar position, Parliament legislated in Tudor days and claimed over them the same supreme authority that it has today in law over every part of the British Commonwealth. While ordinary British statutes do not apply to them, laws affecting the whole Empire apply, in spite of their protests that these must first be accepted and proclaimed in the islands.

Professor Schuyler bases his view of the authority of the English Parliament over all the realm of the sovereign on the principle that Parliament was not inherently a representative body but a royal council advising the king. On the other hand, Professor McIlwain distinguishes between the king in council, who had no power of legislation, and the king in Parliament. The king is himself an integral part of Parliament and its acts are also his acts. He had authority, however, apart from Parliament, and it was under and within the limitations of the royal prerogative that he granted charters and constitutions to the colonies. With these—so runs the theory—Parliament was not concerned, and it was itself revolutionary when it interfered in the relations between the colonies and the king. Professor McIlwain's view is sound that government by Parliament, a representative body, makes illogical the government of dependencies that have their own representative bodies. The failure to see this caused the American Revolution. But Professor Schuyler challenges every phase of the opinion that the colonies were not under the constitutional authority of Parliament.

The British Commonwealth has overcome the difficulty in its own illogical way. It retains the omni-competence of Parliament to legislate for all the dominions of the king, but at the same time creates the convention of constitutional right under which powers of self-government, once granted, cannot be revoked. It is under this convention

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that the parliament of Canada is today as really sovereign as that of Great Britain, though some things have not been reconciled with this view. The supremacy of Parliament in the past, as in the present, for which Professor Schuyler contends, runs side by side with the sovereignty of the self-governing dominions inherent in a representative system. The pity is that an earlier recognition of the paradox did not prevent the by no means "inevitable" American Revolution. Nothing is inevitable in human affairs except that human nature will always assert itself. Compromise and readjustment to meet its demands are preventives of revolution. However much we may debate the constitutional differences, normal human action would have solved them. The unwise Stamp Act was repealed because it was foolish; so also were Townshend's duties, all but one. Human obstinacy caused the Revolution; and, as Chatham and Burke showed, this folly was not "inevitable."

Space does not permit adequate review of the remaining three of the five chapters of Professor Schuyler's book. "An Early Colonial Protest" is a vivid account of the effort of Barbados to remain royalist and refuse to accept the authority of the Commonwealth Parliament. The dispute led to a proposal that Barbados should do what the United States has done in regard to Porto Rico and the Philippines, namely, send representatives to sit in the legislative body at the capital, not to have voting equality with other members, but to share in debate and to be on hand to advise concerning their affairs. The English fleet that conquered Jamaica under Cromwell forced Barbados to submit, but it became gladly royalist at the Restoration and later was hardly less assertive of the rights of its legislature than were the continental colonies.

Jamaica itself plays the chief part in the chapter on "Slavery and Constitutionalism." It led the West Indian islands in the fight against the abolition by the British Parliament, first of the slave trade, and then of slavery. Samuel Adams himself was not more vehement in asserting legislative independence than were the members of the Jamaican legislature. Year after year they and spokesmen of other colonies fought, on constitutional grounds, the efforts of Wilberforce and Buxton to free their slaves by an act of the British Parliament. In the hour of defeat, they were only partly soothed by a vote of £20,000,000 to compensate the slave owners.

Professor Schuyler's last chapter deals with "The Present Position" in the British Commonwealth. He shows how Burke's distrust of mere

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legalism has found expression in the slow evolution of the British dominions, until in 1926 their equality as nations with Great Britain was formally proclaimed by the Imperial Conference with no member dissenting. Such a declaration has no legal validity, but the anomalies that remain do not trouble the British political mind. Side by side with this evolution has been the devolution of the West Indian colonies formerly so assertive of constitutional independence. They are now really crown colonies controlled by the Colonial Office in London.

Mr. Nathan's book gives an adequate account of the various phases of government in the British Commonwealth at the present time. He stresses the incessant change. The eighteenth century knew little of evolution. Because political rights were regarded as static, one side in the American dispute asserted the supremacy of Parliament, the other colonial freedom, and both appealed to the past, ignoring the changes due to evolution, as inevitable in politics as in biology. Mr. Nathan's list of the British territories shows what a vast and complex organism they make. Canada, the most populous of the colonies, led in the political evolution which made the larger colonies nations, the equals of Great Britain. This necessity the great war revealed. Accordingly, in July, 1919, the colonial secretary, Lord Milner, said in the House of Lords: "The only possibility of a continuance of the British Empire is on a basis of absolute out and out equal partnership between the United Kingdom and the dominions" (p. 70).

Mr. Nathan gives a clear description of the various types of government—dominions, India, crown colonies, protectorates, mandated territories—and outlines the function of the crown, Parliament, the executive government, the judiciary, etc., in this intricate system. The crown has still in theory extensive powers, some of which might in an emergency prove useful. It is, for instance, by no means certain that at a change of government the king is bound to accept the advice of the retiring prime minister as to the person to be asked to form a ministry. New anomalies arose when the king called upon the leader of the minority to take office. In India a troublesome situation is created by the demand for not only dominion status but dominion self-government. Since Mr. Nathan wrote, women have secured the franchise on equal terms with men (p. 206). The problems arising from mandates are being slowly defined. Palestine is proving no bed of roses. Germany desires the restoration of the mandated colonies, while the British government has declared that the mandates are irrevocable in their nature. Repose is certainly not the impression that one gets from a

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survey of the British Commonwealth, and this is perhaps one chief sign of its vitality.

GEORGE M. WRONG.

*University of Toronto.*

*Constitutional Laws of the British Empire.* BY LEONARD LE MARCHANT MINTY. (London: Sweet & Maxwell, Ltd. 1928. Pp.xvii, 258.)

This book was written primarily for the use of English law students preparing for their bachelor's and bar examinations. The general plan is similar to that of the well-known textbooks, e.g., Taswell-Langmead's *Constitutional History*, Chalmers and Asquith's *Constitutional Law*, and Thomas's *Leading Cases*, all published by the firm issuing this volume. The number of editions through which these earlier texts have passed is strong evidence of their success in satisfying the need felt in England for books of this character. Like the earlier volumes, the present one will in all probability prove to be very popular as a concise and up-to-date treatment of its subject, and will be of substantially the same value in American schools for use as supplementary reading in courses in English history and government.

The first half of the book is devoted to matters of more general interest, such as the validity of colonial legislation and conflict of laws within the Empire, the operation of constitutional conventions in self-governing colonies, and the appellate jurisdiction of the Privy Council. This is the most valuable part of the book for use, as suggested, in American schools. There are also brief chapters dealing, respectively, with the Irish Free State, India, partially self-governing colonies, and crown colonies. The least valuable part of the book is the two chapters dealing with federalism in general, and federal-state relations in particular. This is true, at least from the point of view of an American student, because the whole discussion of federalism is vitiated by a curious misinformation about American government and constitutional law, which are introduced as a basis for comparison.

The method of treatment throughout is to present material from cases and statutes. Statutes are quoted freely, and the facts of cases are quite fully stated. On the whole, cases are remarkably well presented; only one instance has been detected in which the statement of a case does not seem clear, i.e., in the rather important case of *Secretary of State v. O'Brien* (p. 216). This relatively complete reproduction of the materials has obvious advantages for the student who

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does not have ready access to the law reports of various British jurisdictions and of course economizes the time of all readers. The defect, however, is that it leads sometimes to a too close attention to the letter of the law and a neglect of constitutional practice. Thus, Mr. Minty is led to overlook the actual direct character of the election of the American president (p.141), and to slight the conventions followed in appointing governors of dominions (p.113). This tendency becomes serious when it is erroneously assumed (p.199) that the constitutional amendment proposed by the Labor government of Australia, to bring employees on state-owned railways under the jurisdiction of the Commonwealth Arbitration Court, was adopted by popular vote. With this assumption, the important *Engineers' Case* (1920, 28 C.L.R. 129) becomes altogether meaningless. It should also be noted that the doctrine of the immunity of state instrumentalities in Australia has never turned upon the distinction between proprietary and governmental functions as in the United States (p. 191 *seq.*).

JOSEPH R. STARR.

*University of Minnesota.*

*Geschichte des neuern Schweizerischen Staatsrechts, zweiter Band: Die Zeit der Restauration und der Regeneration, 1814 bis 1848.* BY EDUARD HIS. (Basel: Helbing und Lichtenhahn. 1929. Pp. xxiii, 774.)

*Die Schweiz seit 1848: Geschichte, Politik, Wirtschaft.* BY EDUARD FUETER. (Zurich: Orell Füssli. 1928. Pp. 305.)

Although written from different viewpoints, these two important contributions to the history of modern Switzerland complement each other admirably. Together, they cover slightly more than a century of development, from 1814 to 1928, dovetailing neatly at the year 1848 when the federal constitution was adopted. Both are thoroughly elaborated, resting on profound study of the sources. Neither is history in the narrative sense; each seeks, rather, to analyze events occurring within a given circle of interest during a given period of time. While Professor His devotes himself primarily to public law and Dr. Fueter to economic background, the results do not vary so much as one might anticipate, for each is keenly conscious of the importance of the other's field. Moreover, as the former author remarks, "the political development of the first half of the nineteenth century as

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a whole rested upon the legal structure of the state, in contrast with which all other factors, such as religious, economic, and social considerations, lost sharply in significance." On the other hand, the period of Swiss history treated by Dr. Fueter has witnessed not only profound industrial changes, but with them also a shift of interest in the political field from constitutional to economic issues. Here again, therefore, the two books complete each other, since each emphasizes the topic peculiarly characteristic of its period.

While substantially true, the dictum of Professor His, quoted above, seems to undervalue considerably the confessional differences which convulsed Switzerland during the years immediately preceding the Sonderbund war of 1847. Reference to the body of the work, however, dispels any apprehension on this score; for while he has treated thoroughly every ramification of Swiss public law during the Restoration (1814-1830) and Regeneration (1830-1848) periods, with the exception of treaties and international affairs, he has devoted an admirable chapter of more than one hundred pages to the relations of state and church. There are also excellent discussions of the political theories of the period, of cantonal and communal governments, of citizenship, of finances, of army organization, of schools and poor relief. A brief final chapter draws general conclusions which exhibit rare judgment and sense of proportion.

The reader cannot help feeling amazed, and disheartened as well, at the enormous mass of detail gathered into this bulky volume dealing with one small country during a third of a century of its existence; nevertheless it was precisely the years from 1814 to 1848 that witnessed the laying of the legal foundations upon which Swiss government has rested to the present day. Moreover, the serried mass of facts marshalled by Professor His is justified, in part at least, by the variety of legal forms prevailing in the nineteen whole and six half cantons, a variety so great that, lessened as it has been by eight decades of federal rule, it still seems amazing to the foreign observer. In short, Professor His has produced a book of high value, particularly to the Swiss lawyer, historian, and political scientist. It is in all respects a worthy conclusion to his earlier volume dealing with the period of the Helvetic Republic and the Act of Mediation (1798-1813).

While characterized by fine scholarship and critical ability, Dr. Fueter's book makes a distinctly wider appeal. It is the first of a series of monographs on the creation of modern states, in the an-

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nouncement of which one notes with interest the fact that André Siegfried is to contribute the study of the United States. Other countries to be dealt with include England, Germany, Russia, Italy, and Hungary. Starting with a brief account of conditions in Switzerland about the middle of the nineteenth century, Dr. Fueter deals with successive periods down to and including the World War, adding a few words on post-war happenings. With the exception of the latter, each period is analyzed thoroughly, both as regards constitutional and political, and also industrial and commercial, developments, with emphasis, as stated above, on the latter. Unnecessary detail is avoided, and as a result the march of events in Switzerland as a whole presents itself clearly. Readers too hurried to peruse the book from cover to cover may choose any single topic in which they are particularly interested, e.g., railway construction, the army system, foreign relations, or party struggles, and with a minimum of time and effort follow it through the entire period from the adoption of the federal constitution to the present date. Five maps, a splendid index, and a table of principal events add greatly to the value of the work. At every turn one notes the shrewdness of Dr. Fueter's analysis of party motives, and of the motives of groups behind the parties.

For the benefit of American readers, the book deserves speedy translation; they will appreciate the author's occasional references to our own political practices as contrasted with those of the Swiss—particularly such distinctions as those drawn between log-rolling in our legislatures and the nearest approach to anything of the sort in cantonal grand councils and the Federal Assembly at Bern.

ROBERT C. BROOKS.

*Swarthmore College.*

*Emperor Francis Joseph of Austria.* By JOSEPH REDLICH. New York: The Macmillan Company. 1929. Pp. xx, 547.)

*Austrian War Government.* By JOSEPH REDLICH. (New Haven: Yale University Press. 1929. Pp. xii, 175.)

*The Balkan Pivot: Yugoslavia.* By CHARLES A. BEARD AND GEORGE RADIN. (New York: The Macmillan Company. 1929. Pp. viii, 325.)

The appearance, in relatively close succession, of three such scholarly volumes as those under review is a gratifying evidence of

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the interest that centers today on European, even Balkan, matters. That they contribute much of value to an understanding of a century of Danubian and Balkan political development goes without question: the preëminently qualified position of the authors is in itself a preliminary guarantee. Of major importance are the freshness and vitality of the viewpoints which the authors bring to their respective problems, and the way in which an amazing complexity of events covering a period of catastrophic change is set forth with objectivity and clear perspective.

*Emperor Francis Joseph of Austria* is more that a biography. Professor Redlich has made a profound analysis of Austrian social, political, and constitutional development, from the formal abolition of the Holy Roman Empire to the beginnings of imperial dissolution in the Dual Monarchy. He has, in reality, given us a "Life and Times" volume that quite transcends, in its breadth of scope, a work of pure biography. In it he has caught the *Zeitgeist* of the old Austria of pre-'48 days, shown its gradual transformation into the militarized authoritarian state that was the ideal of Schwarzenberg and Francis Joseph, and depicted its irretrievable decline. In it are found the moving spirits of Russia, France, Germany, England, and Italy from Sebastopol to Serajevo—not merely the immediate entourage of an emperor. There emerge from its pages not only the pillars of the old régime but also the "under-dogs"—the leaders of the oppressed nationalities whom no amount of autocracy, no measure of authoritarianism, could subdue. This is not to say that the many-sided personality of Francis Joseph is in any sense submerged; in reality, his imperial position furnishes the primary thread of continuity for the tangled skein of events which the volume so tellingly describes. But throughout, "with Francis Joseph, the idea of the ruler overpowers that of the man and makes his personal individuality its servant." It was this conception of his mission to rule, of the Habsburg *Hausmacht*, that made Francis Joseph efface his personal desires on many an occasion and take with a remarkable fortitude and utter calm the tragic blows which History rained upon him. Even his first words on learning of the assassination of Franz Ferdinand "show that always the first element in his thinking and feeling was the hereditary house, the dynasty and the God-ordained "order of legitimacy" on which it rested.

What caused inevitable tragedy for Francis Joseph was the inherent conflict between his life mission, as he conceived it, and the on-

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sweeping forces of liberalism, nationalism, and democracy that gradually undermined his position. He had neither the inclination nor the genius to attempt a reconciliation with these forces such as would, by compromise and devolution, have maintained his realm intact. "A creative application of modern ideas to the old Habsburg conception of the realm of the peoples of the West and East lay beyond his mental scope." The maintenance, to the end of his life, by sheer force of will, of an obsolete autocracy constituted his principal achievement and led to the primordial tragedy of the World War and its consequences for the peoples over whom he ruled.

That tragedy, in all its details, forms the theme of *Austrian War Government*, a volume which amply merits its place in the Carnegie Endowment's *Economic and Social History of the World War*. If the biography of the Emperor is the incarnation of the personal forces operating in Austrian society, the study of war-time administration is a masterly corroborative interpretation of the impersonal factors leading to the downfall of the monarchy. Redlich's approach is that of a liberal constitutionalist, opposed to dualism—particularly as exploited by Tisza—and sympathetic with the strivings of the various ethnic groups within the monarchy which had long been denied genuine freedom of expression, or real participation in its political life. In consequence, he views the repressions which war government added to the lives of such peoples as inevitably accentuating the long-obvious internal weaknesses of the Austrian state. Of all the belligerent states, Austria appears to have been foremost in its preparations for repression and the first to establish an anti- and un-constitutional régime of out-and-out military dictatorship, well epitomized in Conrad von Hoetzendorf—and Stuergkh. It was this régime of scarcely mitigated political terrorism that lasted during the first half of the war, hampering the splendid volunteer coöperation of all races in measures for war relief.

With the assassination of Stuergkh, the death of Francis Joseph, and the accession of Karl, a second phase opens, outwardly evidenced by the return to something like constitutionalism and the discussion of vague plans for federalization. On the other hand, the growing evidences of war weariness and of the effectiveness of emigré propaganda characterize it as a period of incipient dissolution. It is apparent that revolution and the final collapse of the monarchy were due more to the *malaise* born of the hunger blockade and the failure of the food supply than to the matured and seasoned growth of a belief in the efficacy of republican government and democratic institutions.

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That collapse did not come sooner is largely attributable to the far-reaching efforts of the food administration and to the general state socialism forced upon the monarchy in its hour of extremity. These phases of war government receive particularly fine treatment at the hands of Dr. Redlich. When collapse finally took place, it was the Austrian bureaucracy, coöperating earnestly with Hussarek and Lammasch, that compassed the peaceful liquidation of the monarchy and smoothed the way for the incoming administrations of Czechoslovakia, Poland, Rumania, and Yugoslavia.

The chapter of imperial history which Redlich closes opens the epoch covered by *The Balkan Pivot*. The work of Professor Beard and Mr. Radin rightly bears as its sub-title "a study in government and administration." Undertaken on the ground, without preconceived thesis, it is objectively rooted in the institutions then normally functioning in Belgrade. It covers with adequacy and scientific precision the constitutional inheritance, ideological equipment, and institutional endowment of the Yugoslav state. The sympathetic insight of the authors in their description of internal policy, reinforced by repeated and striking parallelisms between Yugoslav and American or British constitutional practice, makes easier for the average reader an understanding of the complexities of Balkan constitutionalism as illustrated in the keystone, pivotal state. The authors have definitely penetrated behind the formal externals of Yugoslav institutions and have touched to the quick every phase of party functioning, national and local administration, with frank, keen, and unsparing criticisms of both political and administrative defects. The proclamation by King Alexander of a dictatorship—an event which transpired after the completion of the volume—did not come as a surprise to the authors; in a prefatory note they characterize the present régime as "the outcome of methods, conditions, and events" described in the work. The breakdown of parliamentary institutions was clearly foreshadowed.

The chapter dealing with foreign policy is—under the necessity of great compression—rather sketchy, and much the weakest part of the book. To judge Yugoslav foreign policy solely in terms of the balance of power is to ignore the achievements of over a decade in international government and regional political and economic coöperation. Twelve lines to the Little Entente and no mention of the activities of the League of Nations, as regards either Albania or minorities, cannot convey the impression of either adequacy or recognition of realities. It seems regrettable that after such penetrating objectivity in other

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matters the authors should depart (pp. 320-321) on vague hypothetical conjectures divorced from contact with actualities in foreign policy.

These three volumes cover a cycle in Danubian government. They show the handwriting on the wall for the Austria of autocratic dynasticism, record the painful partition of empire, and depict for a new state the strenuous process of re-forming dynastic allegiance and cementing administrative structure.

MALBONE W. GRAHAM.

*University of California at Los Angeles.*

*Quantitative Methods in Politics.* BY STUART A. RICE. (New York: Alfred A. Knopf. 1928. Pp. xxii, 331).

In his preface, Professor Rice makes it clear that the weight of this book is not to be found in the data presented, the majority of which have already appeared in some published form, but rather in the virtually new context surrounding them. The author has endeavored "to organize the book in such a way as to evidence the conceptual coherence which binds together the various topics." This statement justifies one in beginning by reviewing with considerable care the conceptual background, which is treated in the first four chapters.

Although, speaking historically, "politics" is as ancient a field of thought as any other, political science as a special branch of the social sciences at present is in a formative period. Any treatise, therefore, which deals with method must be received with the greatest interest. Yet caution against enthusiastic acceptance of new suggestions is necessary, because the future development of political science may be considerably retarded by the rash adoption of new methods and the consequent confusion of subject-matter which it inevitably entails. Our only safe guide is insistence upon results relevant to the problems of our science.

With Hume, Mr. Rice asserts that "belief in the existence of any material thing remains an inference." He goes on to say that "belief in the existence of group relationship is of the same character. It is an inference, based upon a variety of sense impressions concerning the behavior of individuals who are involved." The implication of behavioristic psychology is an insufficiently tested hypothesis in the allied field of psychology. Does it recommend itself as the foundation for political science? An examination of the results obtained with this hypothesis will give the answer.

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The reviewer cannot agree with the author's assertion that "the efforts to obtain more exact numerical measurements of social phenomena, and to employ these in scientific reasoning, does not necessitate a depreciation of other, non-quantitative efforts to arrive at truth." If they depend upon a behavioristic psychology or a pragmatic philosophy, they do. If, on the other hand, the point is that "there is no inherent reason why statistical method should not have similarly extensive application to politics" (as to economics), the argument is shifted to another ground. For the word "method" is now used in a different and much more limited connotation, namely, that of a research technique. Still, Mr. Rice's own work shows that the statistical method would not have similarly extensive application to politics as to economics. A critical analysis of some of the results obtained by the author will, on the one hand, indicate the significance of statistics as a research technique in political science, and, on the other hand, it may bring out certain points which will aid in deciding whether to accept or to reject the behavioristic hypothesis.

The first set of problems to which the author turns with his statistical equipment is the content and statistical distribution of attitude. It is essentially a study of certain aspects of public opinion; but the author prefers "to avoid the use of the term 'opinion' and to use instead the word 'attitude,' as indicating a disposition or set toward behavior without reference to the degree of rationality that may be present in connection with it." He begins by describing a class-room experiment in which a group of students were asked to classify at random a selection of photographs under certain heads, like "manufacturer," "senator," and "bolshevist." From the scattered distribution of classifications, the author draws the following "more general conclusions": (1) the existence of common stereotypes concerning the appearance of various classes of persons is clearly indicated; (2) the stereotypes found among students and grange members were similar, but there appeared to be a somewhat greater uniformity among the latter.

Now what makes a clear appreciation of the available evidence, and therefore the validity of the "method," most difficult is the obvious truth of the first conclusion. However, brief consideration will show that the percentages given to any one face in the group depend upon the percentages given to any or all of the other faces. The votes are interdependent variables; and the position of Premier Herriot, when known as such, is not only influenced by the knowledge of his identity,

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but by the knowledge of the other identities as well. It is a comparative, not an absolute, rating. How many or how few "stereotypes" were actually operative does not appear. The same consideration invalidates the other "conclusion." The author himself considers this analysis, even as a study of stereotypes alone, to have been "fragmentary and incomplete."

His next case deals with the distribution of individual political attitudes. It is not possible to give a detailed description and criticism of all the material in it, some of which is a rearrangement of the article "The Measurement and Motivation of Atypical Opinion in a Certain Group," by Floyd H. Allport and D. A. Hartman, which appeared in this *Review* for November, 1925. The case is concerned with scrutinizing the hypothesis that the attitudes upon a given question of individuals in a given group are distributed normally. On the whole, the author "is still inclined to believe that there is 'something in' the hypothesis that individual attitudes are distributed normally, *apart from some distorting situation.*" Mr. Rice believes that this would have important implications, and I agree with him. "If normality of distribution be established as an ideal situation frequently approximated, there would be practical and theoretical implications. To cite one of the former, it could be shown that movements for political reform are more likely to succeed when proceeding step by step than when presenting their complete program."

Nobody can doubt that these and other implications would be most important if the truth of the assumption of normal distribution could be established. But if one comes to realize that the relation of individuals to any specific value is entirely a function of their relation to other, and not necessarily rationally related, values, one naturally becomes quite sceptical of the possible future results of such experimental inquiry. Mr. Rice himself writes that "if the distribution is not normal, it is because the factors determining individual attitudes are not numerous, equipotent and independent." But when are the factors determining individual attitudes ever independent? And yet Mr. Rice hopes that "it might still be possible to discover the circumstances which produce normal distributions." Frankly, the reviewer is at a loss to see how that is going to be done, when normality is an unattainable ideal. And even if it could be done, is there any hope that the context within which the abnormality occurred would ever recur under politically relevant circumstances?

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The reviewer believes that an attempt to calculate the range of indeterminateness would have disclosed an almost hopelessly large probability of error. At present there seems to be no prospect of narrowing this range. But a review of this length hardly offers the occasion for going into the details of these statistical problems. I might mention, in passing, that some of the difficulties encountered are related to those pointed out in connection with the last chapter. The several intermediate attitudes strung out between two extremes present interdependent alternatives, i. e., each individual attitude may be determined, not only by the particular alternative which it chooses, but by all or several of the others which it does not choose. Yet, what is the situation for each individual, will remain indeterminate. But if that is true, must it not be concluded that any particular assortment giving a certain curve of distribution may be altered in such a way as to give an entirely different curve of distribution?

The next field of inquiry toward which Mr. Rice turns concerns objective indexes of subjective variables. He believes "a search for behavioristic materials representative of the intangible subjective elements of political activity" to be "one of the main tasks of a quantitative science of politics." This is because "attitudes and motives," while offering a valid subject of scientific inquiry, are not susceptible of quantitative measurement" unless "they find expression in behavior." This leads him to a consideration of the vote as an objective index of subjectively varying attitudes. The author is careful to emphasize the necessity of being constantly on one's guard "to devise indexes suited to the purpose in hand." The reviewer is less hopeful than the author about the usefulness of votes as indexes of political attitudes, as far as general and recurring situations are concerned. He again would tend to emphasize, rather than to minimize, the range of indeterminateness which is involved in this kind of "measurement."

Moreover, whenever a situation arises in which the interpretation of the vote is fairly clear, the conditions are likely to be peculiar rather than usual, and the result is therefore of individual rather than of general validity. The author thinks that votes "provide the closest analogy within the field of politics to the monetary unit in the quantitative analyses of economic statisticians." The reviewer does not believe that the analogy is very close. But an elaboration of this statement would obviously involve an extended discussion of economic and monetary theory for which this is not the place. Suffice it to re-

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call the exchange aspect of money which gives each unit that detachment from all specific values which enables it to become a standard of value itself. This detachment is at present completely lacking in votes; each vote is individualized, and therefore filled with specific, though indeterminate, content of values attached to the specific person possessing the vote, without which the vote is worthless (except where votes are bought and sold, and there the relation to attitudes breaks down altogether.)

Scepticism regarding the significance of the vote as an objective index of subjective variables beyond a once-occurring situation will find support in the very case which Mr. Rice cites from his study of *Farmers and Workers in American Politics*. No counting of votes can absolve us from evaluating the totality of a given situation which in its relevant aspects does not necessarily contain a recurring quantitative distribution. On the other hand, no political scientist would even have seriously denied that statistical data often give valuable aid in such an evaluation. That there are many situations for which the further application of statistical data will be valuable, the reviewer firmly believes. He is inclined to think that the main contribution of Mr. Rice will eventually be found to lie in this direction, rather than in that "toward a philosophy and a unity of method in social politics" (p. 307). The usefulness and thoroughness of work of a pragmatic and technical significance along these lines will be greatly improved by accepting the standards indicated, the major problems of political science, as generally recognized.

It would be interesting to go on reviewing critically the remaining chapters of this stimulating book, which deal with the social density of attitude and its distribution, spatial variations of political attitude, the voting behavior of representative groups, and time variations in political attitude. But since we focused attention in the available space upon what the author has declared to be the major purpose of the book, namely, to lay the foundation for a quantitative science of politics, we must content ourselves with saying that the remaining chapters do not alter the fundamentally critical conclusion which the reviewer has reached with regard to that major purpose of the author, although it is only fair to say that they contain many interesting suggestions for a further development of political statistics.

The predominantly critical tone of the present review must certainly not be taken to indicate a lack of interest or appreciation on the part of the reviewer. He considers the book of Mr. Rice one of the most

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important among recent publications in political science. It courageously attempts to give voice to a suppressed longing of many among us for a truly "scientific" science of politics. While it is not probable that a truly "scientific" science of politics will be quantitative, Mr. Rice has rendered a genuine service by attempting to explore this possibility. Moreover, he has indicated new and suggestive possibilities for the employment of statistical data in the evaluation of specific situations.

CARL JOACHIM FRIEDRICH.

*Harvard University.*

*The Struggle for the Freedom of the Press: 1819-1832.* By WILLIAM H. WICKWAR. (London: Geo. Allen & Unwin. 1928. Pp. 325.)

This thorough account of the development of English press law in the period before the first Reform Bill is the outcome of the author's researches at the University of London. The opening chapter contains a useful survey of the legal situation at the beginning of the nineteenth century, with a very careful summary of the law of criminal libel, whether defamatory of individuals, obscene, blasphemous, or seditious; an account of the firm control of the press, otherwise than through prosecutions, by means of stamp taxes and registration of presses; and a sketch of the actual practice in libel prosecutions. Nothing could better illustrate Maine's principle that the history of substantive law is secreted in the interstices of procedure. The actual definitions of criminal libel were changed very little when the press became free. Lord Campbell's Libel Act of 1843 merely made truth a defense for defamatory libels if it was for the public benefit that they should be published; and it may be surmised that this legislation would have afforded little protection to the agitators of 1819 if it had then existed, for the juries and judges of that time could easily have decided that abuse of the Prince Regent was in no wise necessary for the public good.

Sounder explanations of the acquisition of liberty must be found in the disappearance of the practices of instituting prosecutions without indictment by a grand jury; imprisoning the accused before trial in default of high bail to assure not only appearance for trial but also "good behavior," i.e., the absence of more distasteful publications; the issuance of warrants by justices of the peace; packing juries; the payment of heavy costs by the accused, even if acquitted or never

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tried. Equally important was the complete change in attitude on the part of officials and jurymen. The very political reforms which were secured through the courage of the radical press ended the fear and intolerance which had caused the prosecutions. It was the converse of the usual vicious circle.

Subsequent chapters deal with "The Press and the Reform Crisis, 1819"; "The Struggle in the Country, 1819"; "The Struggle in Parliament, 1819," covering the notorious Six Acts; "The Failure of the Government, 1820"; "The Failure of the Government's Supporters, 1820-22," narrating the futile efforts of a reactionary society for informing and prosecuting; "The Triumph of 'Free Discussion', 1822-25," telling the amusing story of how, as each successive vendor of Carlyle's pamphlets was imprisoned, a new volunteer took charge of his shop, until at last it was rumored that an automatic vending machine had been installed. "The March of Mind" contains some material useful for literary history on the refusal of the courts to protect the copyrights of Shelley and Byron because of the blasphemous qualities of "Queen Mab" and "Cain." This judicial encouragement to the cheap circulation of banned books has been lately paralleled in this country with respect to the pirating of Joyce's "Ulysses" and Lawrence's "Lady Chatterley's Lover." Indeed there was a time when our courts denied protection for dramatic rights in *The Black Crook* on the ground of indecent exposure!

The final chapter, "The Conclusion of the Struggle, 1829-31," illustrates the persistence of the habit of repression through changes of governments. The Whigs applied suppression to rural agitators, even as today we see the Labor cabinet excluding Trotsky with a rigor worthy of "Jix." Many more parallels are supplied by Mr. Wickwar to recent intolerance in England and the United States, which renders his book especially opportune. Although the common-law crime of seditious libel is virtually non-existent in this country, the gap has been more than filled by our legislatures, and the prison sentences of ten or twenty years imposed under our syndicalism and anarchy acts would have staggered even Sidmouth and Best, who were content with a year or two during the far more serious agitation of their time. And if we always re-read the history of the last years of rotten boroughs and unrepresented great cities with renewed surprise that such an absurd system should have survived attack so long, we can find the explanation if we look at the over-representation of rural upstate New York, the Rhode Island state senate, and the refusal of the Illinois legislature since 1901 to make a decennial reapportionment.

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Mr. Wickwar's book lacks the readableness of Spencer Walpole's account of his period or of Brown's picture of "England During the French Revolution." His minuteness prevents unified impressions. On the other hand, it will be of much service to students in his field. The consultation of documents has been very extensive. Some suppressed pamphlets not in the British Museum have been unearthed by him in the Home Office, to which they were sent by informers. The references in the foot-notes are very full, and appendices contain figures of press prosecutions year by year, and also bibliographies. The index might be enlarged somewhat to include sub-heads and references to legal conceptions, such as "Truth, as defense in libel." Otherwise, everything that one needs on the subject of the book is here.

ZECHARIAH CHAFEE, JR.

*Harvard Law School.*

*The Development of European Law.* BY MUNROE SMITH. (New York: Columbia University Press. 1928. Pp. xxvi, 316.)

The publication of this course of lectures by the late Professor Munroe Smith contributes to filling a long-standing need. For students of government, it presents the best brief summary in English of the transformation of political institutions in the illuminating period of change between the fall of the Roman Empire and the rise of the modern nation-state. For students of law, it emphasizes on practically every page the reciprocity and interdependence between law and the governmental mechanism through which law is administered. While remarkably concise, it is not an elementary compendium of dates and names, but a philosophically conceived essay which raises most of the fundamental problems on the border-line between law and politics, and illustrates them by data from a period rich in illustrative material. It is a welcome addition to the relatively few books which deal with law from the angle which concerns students of politics, and with politics from the angle which should concern students of law. It is not so much an outline of legal history as a contribution to the *rapprochement* between law and political science, and an illustration of the importance of history as the best laboratory of material bearing on the basic problems in both fields.

As an essay on legal history, the book is sometimes dangerously thin. Only the highest points are touched, and for much that the student of private law wants to know he will have to search elsewhere.

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As the only survey in existence, however, which attempts to cover the development of the law of Western Europe as a whole, it supplies an initial orientation preparatory to more special studies. The book is not properly a history of law at all but an outline sketch of the interplay between legal and political institutions and the social forces influencing them; and, so conceived, it should be a helpful introduction to the study of legal history. Some points on which elementary material in English is elsewhere difficult to come by are treated with welcome fullness, notably the political and legal development of Spain and the antecedents of canon law.

The absence of footnotes in a work which at every step cuts across the results of scholarly research is to be regretted. This is no doubt a consequence of the fact that the lectures were not prepared by the author for publication. The same circumstance is doubtless responsible for one error and for two statements which are at least questionable. Donellus (p. 272) died in 1591, and he fled from France to Holland as a result, not of the revocation of the Edict of Nantes, but of the Massacre of St. Bartholomew. The better opinion among scholars is that the Assizes of Jerusalem (p. 175) were not a digest of actual decisions, but an ideal codification which probably never was in force. Emperor worship at Rome was not confined to deceased emperors (p. 176).

JOHN DICKINSON.

*University of Pennsylvania Law School.*

*The Western Way: The Accomplishment and Future of Modern Democracy.* BY FREDERIC JESUP STIMSON. (New York: Charles Scribner's Sons. 1929. Pp. viii, 391.)

*America and Europe, and Other Essays.* BY ALFRED ZIMMERN. (New York: Oxford University Press. 1929. Pp. vi, 213.)

The "western way" is the American way. Mr. Stimson, in describing and evaluating it, abandons conventional methods. He is not concerned with the quantitative or structural analysis of our democratic institutions, but with output and result; and, drawing upon an acquaintance with the statute-books that is probably unrivalled, he formulates the aims of American democracy in terms of actual legislation. The original aim, "the only thing desired," was a system of full freedom for the individual. In successive chapters, devoted to labor, property, associations, women, etc., Mr. Stimson seeks to discover

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how far that system has been carried out. Although he himself sets great store by liberty–although, according to his belief, "the higher and better life, and finally character itself," cannot exist without it—he is forced to admit that democracy "is growing quite as indifferent—more so, in what concerns the individual, his life, his activity—as any mediæval or autocratic government to the broad principle of human liberty which it was supposed for all time to secure," and that it has "definitely accepted the principle of control." He notes with alarm the growth of centralization and bureaucracy. Centralization "ossifies society, arrests all human progress, destroys character." In a vast country like the United States it would involve, not only the loss of individual and social liberty, but in the end the loss of political liberty as well. Democracy breeds within its own veins other virulent germs: nationalism, for example, which is a fomenter of discord; hostility to culture among certain religious sects ("our culture shows ominous symtoms of dying at the top"); and Mr. Stimson even asks whether our civilization of contrivances will not end by boring us, and whether the intolerable ennui of life may not drive us to revolt. Such pessimistic observations are scattered through the book. They cannot easily be reconciled with the confident assertion that "government by the people is the only government which Western or New-World people will submit to," that in it "lies the only hope of the world," and that "we of the West are finally committed to it."

In his "Prospects of Democracy"—the longest of the ten essays in his book, and one that now comes before American readers for the first time—Mr. Zimmern expresses a similar confidence. "The survival of democracy is not in doubt," he says; " . . . political democracy is not a matter of choice but a matter of necessity." And yet passages occur, over and over again, which sound a dubious note. We are told that democracy is, "*for the time being at any rate*," in the ascendant; that "if the gulf between democracy and government, between the common man and the conduct of public affairs, is allowed to widen, it is not political democracy alone which will disappear;" and that "*if the democratic system survives* and adjusts itself to new conditions, it will not be because the majority of the world is ripe for it." Indeed, Mr. Zimmern is not at all sure that democracy can develop appropriate institutions and maintain itself against private power. The new economic system, corresponding to our needs, rests in private hands. With its up-to-date organization, it has an immense advantage over government, which remains rooted in ancient habit. "We conclude, then, that

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there is urgent need for institutions such as will enable the public power to retain or recover control over private interest." Mr. Zimmern exposes here a fundamental weakness in rule by the many.

The other essays range about the fields of international politics and education. They are, without exception, admirably done. It may be added that the author has a sincere liking for the United States and a belief in its mission as "a center of internationalism and of the processes of mutual understanding between nations."

E. M. SAIT.

*Pomona College.*

*Democracy.* BY EDWARD MCCHESNEY SAIT (New York: The Century Co. 1929. Pp. vii, 108.)

This book is a résumé of the current opinions of the critics of democracy. The author stresses the views of the "higher critics" who have no faith in democracy and doubt the value of popular education as a factor in improving the system of popular government. As presenting "the existing clash of opinions over the fundamentals of democracy and the varying points of view of the more prominent writers," the book is excellent; but it leaves the impression upon the reader that democracy has outlived its usefulness and is destined to pass away.

The author, however, is not oblivious to the influences which account for the views of the "higher critics," and he points out that the satire and ridicule with which these writers treat democracy may be due either to their lack of faith in humanity and an inferiority complex, or to their views on socialism and government which are opposed to the principles of democracy. The group of writers whose opinions are quoted so often in this book have come to look upon most men as fools, basing their conclusions upon intelligence tests which have little scientific foundation. "The supply of fools on this planet," says Durant, "is replenished at the rate of two hundred every minute" (p. 57). And he is not alone in this opinion. May it not be that these writers are suffering from a superiority complex and a lack of knowledge of human nature?

In the author's treatment of the views of those whom he calls the "fundamentalists" he hardly presents an adequate view of their opinions, and he ignores the historical background of democracy and the influence of democratic ideals and principles which had their roots in the American and French Revolutions. Apart from this, the book is well written and has its value as a clear and consecutive picture of the present-day criticism of popular government.

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From one point of view, the author seems to discredit democratic government, but from another he quotes with approval the opinions of Mill, Spender, and Russell, who believe that democratic government, with all its defects and failures, is better than either an aristocracy or an autocracy; that in its emphasis upon the personal dignity of man and its consideration for the general welfare, it works better than any other system. "But," says the author, "if we go back to the age of popular revolt and make contact with the realities, we see how hateful the rule of the Stuart and Bourbon kings then seemed. It was arbitrary, corrupt, and inefficient rule. Hereditary succession leaves too much to chance. Bryce observes that since the close of the fifteenth century, when the principle of succession had become well settled, the number of capable sovereigns had been very small, and that we form our opinion by looking back at the exceptions. 'Nothing is rarer,' says Emile Faguet, 'than a firm and intelligent king.' Faguet, though merciless in his arraignment of democracy, proposes no substitute. All he asks is some modification of its machinery. The experiments in Russia and Italy, if he had lived to witness them, would have confirmed his preference for popular government" (p. 99).

With these opinions, the author leaves the case for democracy, and while sympathizing with many of its critics in pointing out the defects of democracy, he shows that in the development of government nothing has been suggested that has any chance of successfully taking the place which the system of popular government at present occupies.

JOHN S. PENMAN.

*Cambridge, Massachusetts.*

*The Mandates System in Relation to Africa and the Pacific Islands.* BY ELIZABETH VAN MAANEN-HELMER. (London: P. S. King and Son. 1929. Pp. 331.)

*British Colonial Policy and the South African Republics, 1848-1872.* BY C. W. DE KIEWIET. (London: Longmans Green and Co. 1929. Pp. xiii, 317.)

*The British in Tropical Africa: An Historical Outline.* BY IFOR L. EVANS. (Cambridge University Press. 1929. Pp. ix, 396.)

Despite its self-imposed limitations, Miss van Maanen-Helmer's work on the mandates system is the best analysis available in English of the constitutional development, status, and implications of that

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system. She has entirely omitted consideration of the Class A mandates, on the ground that "they seem to be irrelevant"—though the British might consider this a somewhat summary disposal of their problems in Palestine—since they are avowedly temporary and might properly, if they had been differently situated, have been treated as national minorities. More important is that she has limited herself to a consideration of the international control aspect of the system, rather than to the changes wrought in the traditional methods of colonial administration. Rightly, no doubt, she is of the opinion that it is too early "to see in detail what difference it is actually making in the government of backward races." A generation or two must perhaps elapse before we are able to measure the full effect of the mandates system; the important point now is to grasp the nature and method of the international supervision which has been established.

In her discussion of the composition, procedure, and competence of the Permanent Mandates Commission and its relation to the other organs of the League, on one hand, and to the mandatories on the other, Miss van Maanen-Helmer has added little to the excellent study of that subject made by M. van Rees, vice-chairman of the Commission, in his *Les Mandats Internationaux*. She has, however, covered the ground thoroughly, and it is well worth while to have a similar, if less authoritative, analysis in English. In addition, she has given an outline of the origin of the system and an appreciation of its effect on international relations. Her general position is that great advances have already been made and firm foundations laid for the indispensable work of "making the welfare and development of native races an international responsibility."

To read Miss van Maanen-Helmer's book in conjunction with such historical studies as those of Mr. Evans and Mr. de Kiewiet adds interest and significance to all three because of the problems, speculative and practical, which inevitably spring to mind. Mr. Evans, in *The British in Tropical Africa*, has made no attempt to add to the existing store of knowledge, but merely to give a more or less concise and readable account of the British share in the partition of Africa, taking as his furthermost limits the Sudan in the north and Rhodesia in the south. The book was written, according to the author, to "meet the more immediate needs of colonial service probationers." It should be of interest to the wider circle for which he hopes, although it will be of little use to the scholar.

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Mr. de Kiewiet's work, on the other hand, is based almost entirely on documentary materials, and to some extent on the hitherto unused correspondence of Sir Philip Wodehouse, governor of Cape Colony from 1862 to 1870, and the private minutes of the secretaries of state for the colonies and their subordinates. It throws new light on the troubled history of South Africa and gives an admirable and well-documented illustration of the virtual impossibility of restraining imperialist expansion once a single foothold has been gained, even though the temper of the times at home be against it.

One is tempted to wonder, when the three books are read together, what success the mandates system, and even the League itself, would have in a period when expansionism is still at its height and colonial administrations are hastily devised to secure and hold new areas in a rapidly changing world. Or is the mandates system, perhaps, fitted only to appear as a stabilizing influence when the pioneering stage has passed? How would the League have dealt with the meeting at Fashoda, and who would have been victor in a clash between the gentle counsels of Geneva and the ambitions of Cecil Rhodes? It may be that Manchuria will give at least a temporary answer. At all events, the full glare of publicity has been turned upon the mandated areas, and we have passed beyond the stage when only the secret archives know what is happening, and when, as recited by Mr. Evans, the officials of the Royal Niger Company could be obliged to enter into a bond of £1000 not to disclose to any outside person "any facts, whether commercial, industrial, scientific, or political, in connection with the government or business of the Company or the districts occupied by the Company."

RUPERT EMERSON.

*Harvard University.*

*The Central Americans.* BY ARTHUR RUHL. (New York: Charles Scribner's Sons. 1928. Pp. x, 284.)

*Dollars for Bullets.* BY HAROLD NORMAN DENNY. (New York: The Dial Press. 1929. Pp. 411.)

*Black Democracy.* BY H. P. DAVIS. (New York: The Dial Press. 1929. Pp. xvii, 372.)

It is worth while for students of international politics to read these three books. They may not be as thorough or as well documented as the political scientist would wish; but they are written by first-hand ob-

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servers who have caught the spirit of the problem with which they deal. Arthur Ruhl is a well-known correspondent and traveller who has paid several visits to the Central Americas. His book is a popular study of the people in these countries, of whom he is quite fond. He states that the most advanced of these countries is Costa Rica. The reason for its progress he believes to be the absence of the "dead weight of an alien and listless Indian population," which other Central American countries have to lift. Salvador, he says, has grown out of the revolutionary habit almost as successfully as Costa Rica. Its army is the best in Central America. Coffee is the crop which animates the existence of both Salvador and Costa Rica, as well as Guatemala. Within the latter country a large Indian population persists, and part of this population lives in a state of peonage.

Mr. Denny confines himself to a study of Nicaragua, a country which he studied on the spot as correspondent for the *New York Times*. His fundamental contention is that the policy of the United States toward Nicaragua is dominated by strategic rather than financial considerations. The fear of the United States has been that an unfriendly Nicaraguan government would give some power other than the United States the right to build a canal that would threaten the economic and military position of the Panama Canal. To forestall any such possibility, the United States feels obliged to maintain in office in Nicaragua pro-American governments. The result has been that these governments have usually been so weak that they have remained in power only by the aid of the American marines. Mr. Denny has written perhaps the best chronological account of the last American "war" in Nicaragua, including the ill-fated attempt to capture Sandino. While critical of many State Department actions, the book does not contain any searching analysis of our Nicaraguan policies, or of the possibility of safeguarding our interests by other means.

Mr. H. P. Davis has written an account of a second country which is the object of American intervention—Haiti. His volume gives the best account, in book form, of the American occupation that has appeared. A former business man in Haiti, Mr. Davis realizes the defects in Haitian political life, and he is conservative in his criticisms of the United States. Nevertheless, he feels that we are now in a muddle in Haiti and that it is necessary to define a clear policy. The marine force should be reduced and the Haitian parliament should be restored. Mr. Davis' book, as far as it goes, appears to be accurate. One wishes, however, that he had probed more deeply into Haitian finance before

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the war, and into the alleged activities of the National Bank in creating conditions that provoked revolution. Had he dwelt upon Haitian culture, such as the work of Haitian poets and scholars before the war, he would have given a more accurate picture of Haiti as an independent nation.

RAYMOND L. BUELL.

*New York City.*

*The Governance of Hawaii.* By ROBERT M. C. LITTLER. (Stanford University Press. 1929. Pp. xviii, 281.)

In spite of its pedantic title, this is a good book, well written, thorough, and sufficiently well documented. A word like "governance," even though it has been used before, is not good English, and in any case a word which must be explained should be avoided, particularly in a title.

We have had many studies of British and French colonial government, but this is the first time, so far as I know, that a serious study has been made to explain objectively an American attempt to govern outlying territory. On the whole, we can well be satisfied with what the United States has done in Hawaii. Probably no other nation, faced with a similar problem of mixed nationalities—the governing race being hopelessly in the minority—faced also with the fact of distance and inadequate communication (at the time of the Organic Act there was no cable to Hawaii), would have dared give such a large measure of self-government.

That the policy has been strikingly successful is due to more than one factor. The Organic Act itself was a good piece of work, in spite of the criticisms that can easily be made. The transfer of sovereignty was not really a shock, because for seventy-five years the islands had been absorbing American ideals and had become used to American customs in matters of administration as well as of living. For three years after annexation, Hawaiian laws prevailed, and during those years the men in control, Americans of Hawaiian birth, trusted by all classes, were preparing gradually for the change. On the whole, the Federal Government has made good appointments to local offices. With one exception, the governors have been bona fide residents. All this has gone to create confidence, and confidence has oiled the wheels of government.

Mr. Littler points out at the beginning that the business and social structure of the islands is built around the sugar industry. "Hawaii is

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thus a territory with a very strong and powerful propertied class and a very numerous and heterogeneous non-propertied class," with but a small middle class. Yet there has been no suggestion of an oligarchy, due partly to tradition, partly to the basis of law, and partly to the political idealism of the property owners themselves. On this background the author has explained the different phases of government, executive, legislative and judicial, the influence of the races on the government, party politics, the work of conservation, health and welfare, education. He does not minimize the difficulties nor fail to give credit for the admirable overcoming of those difficulties. One might wish for a little more constructive criticism, suggestions of remedies for deficiencies. Comparisons with similar attempts elsewhere might have been illuminating. But this, after all, would have destroyed the expository nature of the book. The volume is not a plea; it contains nothing controversial. It gives the facts on which the lawyers and the politicians can build their briefs. The very recital of these facts is inspiring testimony as to the adaptability of American democratic principles to a territory made up of utterly divergent races.

WILLIAM R. CASTLE, JR.

*Washington, D. C.*

*The Chinese Revolution, 1926-27: A Record of the Period Under the Communist Control as Seen from the Nationalist Capital, Hankow.* BY H. OWEN CHAPMAN. (London: Constable & Co., Ltd. 1928. Pp. xvii, 310.)

*The Nationalist Program for China.* BY CHOA-CHU WU. (New Haven: Yale University Press. 1929. Pp. iv, 112.)

The first of these volumes is a detailed description, by a trained observer, of many of the incidents and conditions current in China in the years 1926-27. The author, an Australian medical doctor connected with hospitals in Teian and Hankow in the province of Hupeh, had an excellent opportunity to study the technique of the Nationalist Revolution as it developed during those crucial years. His account is one of the most dispassionate and complete of any thus far published. In his statements and conclusions he is critical but hopeful.

The part played posthumously by Dr. Sun Yat-Sen as the national hero and the disseminator of the Three People's Doctrines (*San Min Chu I*); the rise of Chiang Kai-Shek; the contributions of Soviet Rus-

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sia to the Nationalists in men, money, and arms (including, in particular, the work of Borodin and Galens); propaganda as a factor in the campaign; the split between Chiang and the Russian and Chinese extremists, with the consequent temporary establishment of rival governments at Hankow and Nanking, followed by the official unification of China under the Nationalist government at Nanking—all are discussed with considerable detail.

Of interest to Westerners, equal to that in the internal development of the revolution, is the policy of the spokesmen of the new government toward foreigners and foreign countries. The attack on "British imperialism," the occupation by Nationalist troops of the British concessions at Hankow and Kiukiang, the fiery denunciations of foreign privileges in China and of the old "unequal" treaties, the attacks on foreign property in general, including hospitals and churches—these and other developments offer evidence of a positive nature regarding the future relations of Nationalist China with foreign countries.

Valuable as Dr. Chapman's study undoubtedly is, it is not calculated to give one a comprehensive knowledge of contemporary China. It is notably weak in its lack of background, which is apparently presupposed by the writer. Of the situation prior to 1911 no account is attempted, and only fourteen pages are devoted to the fifteen years 1911-26. The value of the work lies in its detailed account of two significant years which witnessed the advance of the Chinese Nationalists with their Russian colleagues and advisers from Canton to the Yangtsze valley and the foundation of a revolutionary government in the heart of China.

The small volume by Mr. C. C. Wu should be read in conjunction with such a work as Dr. Chapman's. Mr. Wu is a diplomat, the son of a diplomat—the late Dr. Wu Ting-Fang— and now represents his country at Washington. He preceded Mr. Eugene Chen as minister of foreign affairs in Canton before the Nationalists advanced to the North. Prior to that, he enjoyed an enviable reputation as mayor of the city of Canton.

During the summer of 1928, Mr. Wu attended the Williamstown Institute of Politics, where he delivered two lectures on the meaning of Dr. Sun's Three People's Principles, and "passed remarks" in two conferences on Manchuria. The "remarks" are characterized by as considerable a degree of warmth as are the lectures by diplomacy. The latter bear about the same relation to the realities of life in China that

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such general statements of principle as the Declaration of Independence, a Republican party platform, or the Thirty-Nine Articles, bear to life in the countries which produced them. They are, however, couched in good English and are well worth reading. An appendix of considerable value includes Dr. Sun's will; the organic law of the national government; certain statements by Messrs. Frank B. Kellogg, C. C. Wu, and C. T. Wang; and the tariff treaty of July 25, 1928, between China and the United States.

HARLEY FARNSWORTH MACNAIR.

*University of Chicago.*

*Nationality; Responsibility of States; Territorial Waters: Drafts of Conventions Prepared in Anticipation of the First Conference on the Codification of International Law, The Hague, 1930.* (Cambridge: Harvard Law School. 1929. Pp. vii, 399.)

When the League of Nations decided in 1924 to proceed with the formulation of international law, the Committee of Experts for the Progressive Codification of International Law determined to identify those subjects which were "ripe" for the purpose. They thus followed the dictates of common sense, and also the precedent of the Hague peace conferences, which did exactly the same thing despite the post-war attempts to exaggerate their results into a general codifying orgy. General codification is impossible, and will remain so until much larger bodies of specific agreement exist than are now available. The three subjects examined in this book are the first to be assigned to diplomatic decision in a conference, but eighteen more have been or are to be studied. When these subjects were declared "ripe," a Preparatory Committee for the Codification Conference issued a "schedule of points" on each, and, altogether, thirty-one have answered that questionnaire with respect to their law and policy.

The Harvard Law School organized the Research in International Law with a view to contributing to the material available to the conference reasoned statements of the law on each subject developed in the free atmosphere of scientific exploration. Manley O. Hudson was director of the research, and the reporters of the three subjects were Richard W. Flournoy, Jr., Edwin M. Borchard, and George Grafton Wilson. Their work was done in collaboration with an advisory committee of forty-four scholars and jurists, of whom about half served on the special committees.

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The Geneva Preparatory Committee received replies from thirty-one governments on the schedules of points, and have analyzed these in three volumes which summarize the net conclusions in a series of "bases of discussion" for the conference.

The draft conventions of the volume under review and the "bases of discussion" therefore represent proposals in the same stage of development. Either group is suitable as a starting point of the coming conference's labors. The one is a uni-national scientific structure; the other a multi-national deduction from practical experience. A comparison of the two methods throws light upon respective values.

It is satisfying to note that the national scientists and the international analysis are agreed on fundamental principles. But while the American drafts and the international "bases" perspicuously cover the same ground, the handling of ideas is essentially distinct. Consciously, it is believed, the American drafts reflect in content and treatment the practices and theories of the Washington government. To a considerable degree, the result is valuable—for instance, in the careful definition of terms. Again, the American drafts have scientific superiorities, instanced in the clear distinctions presented with respect to territorial waters. Once more, the American scientists have tended to round out the handling of a subject more fully, illustrated by the draft on the responsibility of states for damage done in their territory to the person or property of foreigners.

National scientists, however, should not make international law, though most of it that we have has emanated from their statements. The American draft and the bases of discussion on nationality show the contrast. The United States is an immigrant-receiving state, very few of whose nationals denationalize themselves, though many expatriate themselves. The American draft clearly reflects these characteristics. On the other hand, the world in general is a place where population moves about, creating problems both of immigration and emigration. The circumstance is reflected in the bases. The structure of society accounts for differences also. Adoption, which seldom involves a change of American nationality, is not mentioned in the American draft, but is dealt with in the Geneva bases. The United States is so far from other countries that its coastal waters are much less subject to general misuse than those of many countries with limited coasts and ports and numerous neighbors. The bases of discussion are more detailed on the use of coastal waters.

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In some instances, knowledge of national institutions militates against sound conclusions, or at least contributes to a conviction that they may not be practicable. Municipally, the Supreme Court of the United States renders decisions final and without appeal; internationally, there is no sound reason why they should have that finality *ipso facto*, and no real reason at all why they should not be reviewed by international tribunals in cases of international reclamation. The practical international rule should be Article 32 of the General Act of Geneva of September 26, 1928. The American scientists do not adumbrate the point in their articles on responsibility of states, but the Preparatory Committee finds that agreement can fairly easily be secured on a proposition that "a state is responsible for damage . . . . as the result of the fact that . . . . a judicial decision which is final and without appeal is incompatible with the treaty obligations or other international obligations of the state."

The very differences between the American and international proposals demonstate the value of the activity of the Research in International Law. The Codification Conference can reach better decisions with more certainty as a result of having these suggestions before it.

DENYS P. MYERS.

*Boston, Massachusetts.*

*Executive Agents in American Foreign Relations.* By HENRY MERRITT WRISTON. (Baltimore: The Johns Hopkins Press. 1929. Pp. xii, 874.)

In President Wriston's study the high level of scholarship and distinction heretofore set by the successive published volumes of the Albert Shaw lectures at the Johns Hopkins University is amply maintained. We have herein a comprehensive and thoroughly documented description and analysis of a phenomenon of great theoretical and practical importance in American political life.

That phenomenon is, of course, the employment by the President of diplomatic representatives to act for the United States without submitting the appointment of such agents to the Senate for its approval, in spite of the constitutional provision requiring such approval for appointments of "ambassadors, other public ministers, and consuls." The problem is examined by the author from the point of view of constitutional law and practice (Chapters I-IV), and then with reference to the work actually performed by such agents (Chapters V-XI). There

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is a full index, but no general summary except for three paragraphs inserted at the end of Chapter XI.

One of the most interesting revelations which emerge in the survey of this long struggle between the executive and legislative branches is the extent to which it has been merely a struggle for power, without much devotion to the ideal of constitutionalism or to the principle of control over foreign relations by the elected representatives of the people, apart from that struggle. Beyond this, the contest was a contest in logic-chopping, even where the most serious and fundamental considerations were invoked. Doubtless the same implications would emerge from a similarly thorough study of executive agreements, although in the nature of the case the President is at greater disadvantage in that matter.

The formal merits of this study have been indicated already; it is founded upon wide and deep work in the sources of information upon our constitutional, congressional, and diplomatic history and practice. On the substantive side, it demonstrates the striking victory of the executive over the Senate, or over the Senate and also the Constitution as intended by the framers. The constitutional requirement for confirmation has been by usage confined to resident diplomatic representatives in foreign capitals, an interpretation both lacking in logic and constituting in effect a great surrender in power on the part of the Senate. This surrender is traceable to the tactical advantage enjoyed by the executive in any such contest, in part to an appreciation on all hands of the unwisdom of the constitutional requirement, and in part to popular indifference.

President Wriston has in one or two places fallen victim to the very logomachy which he so ably exposes, as at the very end of the chapter on congressional opinion (pp. 311-312). There seems to be some rather faulty classification and duplication of materials in Chapters V-XI, and the notes on pp. 601-618 and pp. 825-837 might have been carried down to date instead of being left standing as of 1924. But the suggestiveness and competence of the treatment as a whole are too great to render such defects of decisive importance. This is an excellent book on an important subject.

PITMAN B. POTTER.

*University of Wisconsin.*

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*Aërial Bombardment and the International Regulation of Warfare.* By M. W. Royse. (New York: Harold Vinal, Ltd. 1928. Pp. xv, 256.)

In this presentation of a controverted subject in readable form Mr. Royse has performed a distinct service to the student of international law and to the general reader interested in national defense. The vast majority of us are prone to slip into the easy rut of optimism and too great faith in the sportsmanship of nations. It is an error, too often stated, that nations are but a magnification of the personality of their citizens. Nations have no heart, and sentiment is not in them, when they gather about the conference table. One predominating urge has always been present in the past and will continue to be present in the future—that of nationalistic advantage.

The author, in his scholarly method of presentation, supported by copious notes and references, follows the thread of international attempts at curbing the employment of new weapons in conflicts between nations to the inevitable conclusion that aërial bombardment, like the cross-bow, the musket, the submarine, etc., will be judged solely upon a utilitarian basis. Those weapons which have been inefficient or contain boomerang qualities have drawn unfavorable clauses in conference reports. Those which have given one nation an advantage over others have invariably caused a deadlock which nullified any effort at restriction. We may therefore expect that aërial bombardment—which, by the way, is not restricted by any unanimous international agreement—will be employed in future conflicts unrestricted as to objectives, whether civilian or military, or as to means, whether explosive or gaseous. This is a bitter pill to swallow, but facts cannot be ignored, unless by those resembling the Chevalier Bayard, who, armed with the cross-bow and fatally wounded by a musketeer, still boasted that he had never shown quarter to an enemy found with a musket.

H. J. Knerr (*Major, air corps.*)
*Langley Field, Virginia.*

*The Making of the Constitution.* By Charles Warren. (Boston: Little, Brown and Company. 1928. Pp. xii, 832.)

Using the scholarly work of Professor Farrand, *The Records of the Federal Convention of 1787*, as well as other source materials, and the *Documentary History of the Constitution* issued by the Government

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Printing Office, together with an extensive collection of letters and newspaper comments, Mr. Warren has undertaken to describe in a consecutive account how and why the various clauses of the Constitution were framed, with a portrayal of some of the influences surrounding the men who framed the document. The purpose of the author has been to demonstrate the necessity for the Constitution, to give selected letters and papers relating to the work of the Convention, and to prepare a succinct account of the debates on the Constitution from day to day.

Though the work covers, in the main, ground which has been fully considered in available publications, the consecutive story of the sources of every important clause of the Constitution gives an interest and a continuity which is lacking in the bare records of the Convention or in other accounts of its work. The weaving together of the various items considered in the debates of the day into a readable account involves difficulties which the author has surmounted with a considerable degree of skill. Many who cannot examine the records themselves or use the works of eminent historical writers will find of interest and value the story of the Convention's proceedings as told in this work.

The chief criticism of the book arises from the fact that the author's personal views and prejudices are constantly in evidence. As in his other publications on constitutional history, Mr. Warren indicates that it is his purpose to discredit the so-called "economic historians," or those who emphasize the economic factors in interpreting constitutional history. He aims to appear as a champion of the "patriotic Americans" who set about solely to create a government in the interest of the public welfare. Because of these predilections, too much weight has been given in the data presented to the prophesies of disaster likely to ensue under the government of the Articles of Confederation. It is no doubt difficult to present all sides of a movement like that for the Federal Convention, but Mr. Warren follows the usual plan of giving a preponderance of documents or opinions from the point of view of the Federalist, or strong government, party.

It is unfortunate that so much space and emphasis has been given in the extensive quotations to trivial affairs and unimportant gossip, and relatively so little to the discussion of some of the vital economic and political controversies of the time on which much more reliable information is now available. The wearisome repetition of the times and places at which Washington drank tea are inexcusable in a work which purports to be a serious historical treatise. Following these

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pages, one would gather rather limited impressions regarding the intricate forces at play in what Davie called "a work of great delicacy and difficulty impeded every step by jealousies and interest." Judging from the inadequate and misleading impressions presented regarding the consideration by the Convention of the council of revision, involving the controversy over judicial review of legislation, the author's judgments and comments on the major issues before the Convention are in certain respects untrustworthy.

CHARLES GROVE HAINES.

*University of California at Los Angeles.*

*The National Civil Service Reform League.* BY FRANK MANN STEWART. (Austin: University of Texas. 1929. Pp. viii, 304.)

For nearly half a century (since 1881) the National Civil Service Reform League has pursued a consistent and persistent course for the establishment of the merit system in place of the spoils system. Coming into existence when the latter was in the heyday of its strength, the League waged a campaign on moral grounds which resulted in the passage of the famous Pendleton Act of 1883, which measure has continued on the statute books from that day to this without change. The act has proved to be a very wise piece of legislation because of its susceptibility to expansion and application. Each successive administration has added to the classified service and has strengthened and developed the rules, so that a large portion of the administrative service of the federal government is now under the competitive system.

The League has stood by the Pendleton Act and has never advocated any change in it, although during the years which have passed an entirely new conception of the personnel problem has been developed. Naturally there has been a conflict of views between those who regarded the issue as a moral one and those who regarded it as mainly a governmental one. There has also been a conflict between those who felt that it was the part of wisdom to support and develop a law which had abundantly proved its worth and those who were in favor of enacting new and confessedly experimental laws, embodying the newer theories.

Dr. Stewart has written the history of this oldest of voluntary reform bodies with fairness and discrimination, and has presented in considerable detail, not only the activities and technique of the organization, but the sundry issues (and their discussion) that have arisen from time to time. He has also discussed, with equal fairness,

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the prospect of the reform and of the organization. He has done a very good piece of research work. Naturally, however, the personal touch is lacking; and various problems which in their day were important receive practically no attention. For instance, he omits any reference to the work which the League has done in the extension of the competitive system to the dependencies acquired by the United States since the Spanish War, and there are very few, and those very meager, references to the establishment of the system in the cities of the country. One of the important reports made by the League, in conjunction with the National Municipal League, was that on the application of the merit system to the higher municipal officers.

Dr. Stewart's book, however, affords the most satisfactory discussion of this ancient and honorable organization and constitutes a very substantial contribution to the literature on the subject. By far the greater portion of the League's activities have been devoted to federal problems, and these are discussed at length and with intelligence. Moreover, the author has brought out clearly the main points of difference between the older members of the League, who have been identified with it from its inception until the present time, and the younger group of men, who take what may be called the modern view of the situation.

CLINTON ROGERS WOODRUFF.

*Philadelphia, Pa.*

*Karl Marx: His Life and Work.* By OTTO RÜHLE. Translated by Eden and Cedar Paul. (New York: Viking Press. 1929. Pp. 419.)

This is an excellent biography. The style is lucid; the narrative moves with quick tempo; and the translators have done a superb job. Marx's journalistic adventures, the persecutions by the various governments and his repeated exiles, the evolution of his thought-process, his multifarious activities as a leader in revolutionary organization and propaganda, his devotion to father, wife, and children, Engels' beautiful friendship toward him, the tragedy of his career—all this stands in vivid detail, because all is handled with skill, sympathy, and a sense of balance.

The author brings to his task an unswerving faith in Marx's theories. Of this the reader becomes aware before he is through with the first five pages, where the slogans "bourgeoisie," "master class," "proletariat," "surplus value," "exploitation," greet his eye. Consequently

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Mr. Rühle hails every view of Marx with enthusiasm. Everywhere Marx solves the problem, makes a discovery, unravels the mystery. Nowhere is there a note of criticism; nowhere an indication of the vexing obscurities, inconsistencies, and contradictions. It may be added that the full significance of the third volume of *Capital* is not brought out adequately.

Marx, the man, does not fare so well. Indeed he emerges before us a very unattractive figure. He is selfish, spiteful, and cynical; he is arrogant, vain, and perfidious. He lacks self-discipline and the ability to earn a living. Inordinately conceited, he surrounds himself only with applauding admirers, and views his doctrines as the emanations of supreme wisdom. Any deviation is to be stamped out with pitiless mockery and fierce contempt. "A violent, quarrelsome, contentious man, a dictator and a swashbuckler" (p. 209), he stoops to base methods in order to revile and discredit an opponent.

True to the spirit of some of the latter-day biographies, our author puts Marx on the psychoanalytical chair, intent on discovering the trouble. He finds that Marx is principally a victim of three conditions: digestive disorders, Jewish extraction, and the first-born child of whom the family expects a good deal. These drawbacks account for Marx's character. They engendered in him an inferiority complex, which in its turn sought compensation in high ambitions and great achievements.

Those not in genuflexion before some of the ultra-modern ways of psychology will not be convinced by these findings. Many people are afflicted with drawbacks, yet they accomplish little; nor are their characters distorted. Human nature is not so simple as all this. Besides, it is not clear why the author calls this method a materialistic (economic) interpretation. Psychoanalysis is rather a biological and psychological interpretation. A materialistic interpretation of Marx's character would seek to show how Marx's economic interests, and especially those of the class to which he belonged, formed his motives, shaped his ideas, and guided his conduct.

In general, the book would have gained had the author been more critical toward Marx's doctrines and less psychoanalytical with respect to his character. But in spite of blemishes, the volume is, to repeat, an excellent piece of work.

M. M. Bober.

*Lawrence College.*

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*Government Ownership and Operation of Railroads.* By Walter W. M. Splawn. (New York: The Macmillan Company. 1928. Pp. xiv, 478.)

The first fourteen chapters of this volume describe the development of the railway net in each country and discuss the political and economic factors entering national policies of ownership, operation, and control. A remarkably comprehensive survey is provided, although there is marked variation in the amount of dependable material obtainable from the various lands. The text is supplemented by railway maps and statistical tables giving recent data. Little attempt at comparative analysis is made, and the author warns that "one will make comparisons at his peril," owing to differences in conditions from one country to another. He is particularly insistent that there is little in foreign experience to justify a change of policy in the United States. One regrets to find that in dealing with Germany, where, if anywhere, there is much to be learned both for and against government operation of a great railway system over a long period, the discussion is not complete and impartial, but is largely argumentative, emphasizing unfavorable aspects almost exclusively.

The last seven chapters deal with the United States, describing successively American experience with state construction of canals, railway history down to the Great War, federal operation of railroads during the war, and private operation since 1920. The author disagrees with Dixon and Cunningham that nothing definite can be proved from the results of federal operation in 1918-19, owing to the shortness of the period and the abnormal conditions which existed. Federal operation was a pronounced failure from the standpoint of efficiency, he maintains, as evidenced by the increase in number of employees, the deficit in the railway budget, and the improvements made by private operators since the war. The final chapters consider the arguments for government ownership, stating them briefly and refuting them with a positiveness and confidence suggestive of a lawyer's brief.

Enough has been said to reveal the chief weakness in the author's method of dealing with his subject. The case for government ownership is introduced only piecemeal as a target for attack. That this is a one-sided procedure is evident even to a reviewer who agrees with the author's contention that a change in our national policy is inadvisable. It may be contrasted with the tenor of a statement in the introduction evidently intended to indicate his purpose: "An effort should be made to submit a discussion of government ownership and operation of rail-

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roads which would give desired information, provoke thought, and be as free from prejudice as it is possible for a mere human being to divest himself of bias." The student of railway problems who, reading this declaration, expects to find an objective and well-balanced treatment of the question will be disappointed. The book should be of value to those interested in a vigorous presentation of the case against government ownership and operation, and to those desiring recent information upon foreign railways.

C. E. McNeill.

*University of Nebraska.*

*The New Exploration: A Philosophy of Regional Planning.* By Benton MacKaye. (New York: Harcourt, Brace and Company. 1928. Pp. x, 235.)

The thesis of this volume does not find its original enunciation in Mr. MacKaye's work; it has been a good many years since Burnham warned city-planners to "make no little plans; they have no magic." Coming as it does, however, upon the heels of the change in American life from a rural to an urban economy, and the development of great metropolitan regions, the book offers a stimulating and interesting introduction to the problem of comprehensive planning.

The author perhaps unconsciously follows Spengler in his denunciation of the "artificiality" of the great city, and in regarding its hugeness and impersonality as an approach to the "inorganic." It follows that the volume must be a defense of the so-called "natural" environment. The author accepts the machine age in typically Carlylian fashion, but insists upon the provision of an environment which will allow adequate contact of man and nature, and the general contact of man and man possible only in a rural setting. To this end, he proposes a regional city, composed of many small villages, in which a relatively dense population is scattered over an extensive area. The provision of open spaces and the preservation of the primeval setting will thus insure the development of a fully rounded and vigorous life.

The author regards the "metropolitan invasion" as a distinct interruption in the natural order of things, much as was the great glacier. While this view may be correct, there are those who regard metropolitanism, not as an invasion, but as the contemporary phase of the evolutionary process. A debate on this point between the author and Dr. Charles A. Beard would be interesting. There is cogency, however,

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in his argument for the reformation of the environment which the machine age has created.

As a plea for deconcentration, the work has hardly the forcefulness of the scientific researches of the New York Regional Plan Committee. Its occasionally hysterical note seriously impairs its scientific importance. From an educational point of view, however, its value is difficult to overestimate. It is improbable that time and circumstance will so conspire as to provide the extreme nicety and over-refinement in the distribution of urban population which the author proposes; at the same time there can be no question but that the urban region composed of a federation of reasonable sized towns and cities is the *grosstadt* of the coming era.

THOMAS H. REED.

*University of Michigan.*

*Governmental Purchasing.* By RUSSELL FORBES. (New York: Harper & Bros. 1929. Pp. xvi, 370.)

This volume is a brief statement of the advantages of centralized purchasing of supplies, materials, and equipment by governments, with an extended, but straightforward, discussion of the most desirable procedures in operation in American communities. There is no philosophical consideration of purchasing or of the vexing problems that scientific purchasing raises. Mention of these numerous problems is not omitted, but always they are discussed in the light of the actual experiences. It is this practical approach that makes the book much worth while to everyone directly or indirectly in contact with public buying.

The early chapters deal with general problems and historical development. The writer then plunges into centralized purchasing as it is—the administration of the purchasing office, illustrated with organization of supplies, governing both use and quality, with the procedure that has been employed in a number of instances for securing these ends; the determination of purchase requirements, including practices bearing on the unsolved question of whether the purchasing department is only an ordering agency or is endowed with discretion in buying; the purchasing negotiations, including the control of emergency purchases; inspection and testing; centralized storage, which is always a matter of controversy wherever purchasing is done; and the accounting control over purchases.

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In the appendices are found the best of recommended and existing laws on purchasing; specifications and examination questions prepared for the selection of a purchasing staff for Baltimore, Md.; the procedure followed in the standardization and simplification of supplies for New York State; and similar material, with a selected bibliography on the subject of purchasing in general. Every chapter is illustrated with numerous cuts of typical and most satisfactory forms in use.

To quote Dr. Forbes: "No attempt has been made to recommend a model purchasing system, or to devise model forms for its administration. . . . . Instead, the writer has attempted a synthesis of the best existing practices." This the author has done, and done well.

Dr. Forbes has had an exceptional opportunity to collect the data upon which he has built his book. For a number of years he was assistant secretary in charge of research for the National Association of Purchasing Agents. More recently he has been secretary of the National Municipal League, and director of the Municipal Administration Service, as well as lecturer on municipal government at New York University.

LENT D. UPSON.

*Detroit, Michigan.*

*Die Staatsrechtliche Stellung des Präsidenten der Vereinigten Staaten von Amerika.* BY FRITZ LINN. (Bonn: Kurt Schroeder. 1928. Pp. 144.)

What the author offers in this study of the constitutional position of the President of the United States is not new knowledge, but the gathering in one little volume of data scattered far and wide in many works on American constitutional law. Not satisfied with a matter-of-fact description of the President's functions, he reveals quite effectively the dynamics of politics which have succeeded in filling a definite form with an entirely different meaning without so much as an attempt at an external change.

There is an outline of the fundamental principles of the American government, showing a fine appreciation of the difference between the formal provisions of the Constitution and their present-day interpretation aiming to meet the changed conditions of modern economic life. The discernment of this tendency and the appreciation of essentials are apparent in the treatment of the historical background of the position of the President and in the discussion of the presidential election,

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the President's term of office and the succession, the President as executive head, the President and his functions, the President and the judiciary, the President and the legislature, and, finally, the President as leader.

But though all this is no revelation to the American student, there exists in the knowledge of the reviewer no other recent German study in the field of American constitutional law which would be as profitable for the American student to read. For this little German work is an encouraging exception to the rule that German learned works are unnecessarily difficult to approach from the point of view of construction and style. The clarity of expression and the brevity of the sentences should commend it to the American student of political science and constitutional law as a useful exercise in linguistics as well as in reading in the subject of immediate interest.

JOHANNES MATTERN.

*The Johns Hopkins University.*

## BRIEFER NOTICES

### AMERICAN GOVERNMENT AND CONSTITUTIONAL LAW

The second edition of Ernst Freund's *Cases on Administrative Law* (West Publishing Company, pp. xxi, 745) is substantially the same in scope and method as the first. The author has added many cases illustrating the development of administrative law in the last seventeen years and eliminated a few which fall more properly under the head of constitutional law and are generally familiar to students of the subject. He adheres to his original conviction that administrative law can be most conveniently dealt with in a law school as a course on the exercise of administrative power and its subjection or non-subjection to judicial control. The main divisions of the subject consequently continue to be administrative power and action, relief against administrative action, and the finality of administrative determinations. Some changes have been made in the arrangement of the cases, which make for greater clarity in the statement of the law, and in general the volume keeps step with the development of the subject. Professor Freund does not conceal his opinion that administrative law cannot be taught effectively by a case-book alone, and that an entirely different approach is better suited to the needs of students of the science of government. Believing, as he does, that legislation has been an even more important factor in its development than the decisions of the courts, he insists

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upon the importance of a comparative study of statute law. In this connection he rightly calls attention to his recent work, *Administrative Power over Persons and Property*, the most adequate of the systematic treatments of the law which controls administration in modern constitutional states. The two books together furnish the teacher of administrative law as a branch of government with materials incomparably superior to any heretofore available. A. N. H.

The central theme of *Andrew Johnson, a Study in Courage*, by Paul Stryker (Macmillan, pp. xvi, 881), and *American Reconstruction, 1865-1870*, by Georges Clemenceau (edited with an introduction by Fernand Baldensperger and translated by Margaret MacVeagh, Dial Press, pp. 300), is the bitter controversy waged over reconstruction policy between President Johnson and the radical majority in Congress. Stryker has written a powerful book which may well stand as an adequate defense of Johnson against the vilification of his enemies. The corrective value of the work, however, is seriously marred by its excessive partisanship. In advocating justice for Johnson the author is not always fair to Johnson's opponents. Nor is the hero quite as great as here portrayed. It is well to describe Johnson's career as an "epic of valor," to stress the statesmanlike wisdom of his Southern policy, and to remove the smirch of slander unfairly attached to his name. But it is also necessary to recall that Johnson was vulnerable where Lincoln had been strongest, especially in the manipulation of men, and it was this which caused his downfall fully as much as the machinations of his foes. Stryker has done a necessary and important work, but his portrait of Johnson is not a complete one. The letters which the Tiger of France contributed to the Paris *Temps* during his residence as a young man in America, now collected in book form, have little in them of value for the student of reconstruction. The young and liberal Clemenceau came to our shores heartily in sympathy with the "great emancipating revolution" and quickly fell under the influence of radical propaganda. His judgment was often immature, his approach biased, and his means of observation limited and mostly second hand. The book is chiefly important as a revelation of the inspiration found by the French liberals in the events occurring in America. P. H. B.

M. R. Werner, whose books on *Tammany Hall*, *Brigham Young*, and *Barnum* have attracted wide attention, has written a life of *Bryan* (Harcourt, Brace and Co., pp. viii, 374). Although there is little that is new in the biography, the work is based upon a thorough study of a

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mass of information which the author has used with skill to produce a book which is very readable and worthy of careful consideration as an interpretation of the life of the Democratic leader. Some of the chapter headings indicate the author's point of view and method of treatment. The early life of Bryan is told under the title of "The Origin of the Species"; "The Armor of a Rightous Cause" deals with Bryan's free silver notions and the campaign of 1896; "The Silver Tongued Sphinx" narrates his activities in the 1912 convention at Baltimore; "Second Fiddle" tells of his work as Secretary of State; and "The Descent of Man" describes the Dayton fiasco, which was a sad anti-climax for one who had played such an important rôle in American public life. William W. Brewton, in *The Life of Thomas E. Watson* (privately published in Atlanta, Georgia, pp. xiii, 408), has given us a biography of the Populist leader whose life covered almost the same period as that of Bryan and who, by action of the Populist convention in accepting Bryan as their candidate for the presidency, was the "Great Commoner's" running mate on the Populist ticket in 1896. The lives and the ideas of the two men present striking contrasts and some equally interesting comparisons. Both were reformers and interested in the lot of the so-called common people; both liked to be in the thick of a fight; both published political journals. But in their personal characteristics, relations with others, beliefs, and methods there were outstanding differences. The author regards Watson as a greater man than Bryan. "In his leadership he was of a verity the born leader. He retreated not from the urge that was in him. Unlike Bryan, the tool of his party, Watson was the essence, the driver, the ruler of his." Although decidedly partial, Mr. Brewton's biography makes a real contribution by giving for the first time intimate data about one of our most colorful and stormy political figures.

*State Budget Control of State Institutions of Higher Education*, by O. W. Irvin (Bureau of Publications, Teachers College, Columbia University, pp. vi, 122), is interesting not only because of the factual material which it contains regarding the various types of state budget control over state universities, but more especially because of the technique that has been followed in correlating and interpreting widely different and complicated data. Each step in budget procedure has been given a symbol. For example, the symbol *g* is used to signify the action in the legislature on the budget as reported out of committee. In order to represent the two mutually exclusive possibilities of action at this

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stage, the symbol $g^1$ is used where the legislature is empowered to amend or supplement the budget bill as it sees fit, and $g^2$ where some restriction is placed by law on the legislature. By the use of such a symbol for each step, it has been possible for the author to present in compact form a composite picture of budget procedure in the various states for comparison and analysis, and to prepare a brief combination of symbols which represents what might be called the "pure executive budget pattern." The study offers some useful suggestions for those interested in the study of comparative administration.

The committee in charge of the Regional Plan of New York and its Environs has issued a booklet, *Zoning Cases in the United States* (pp. 59), prepared by Edward M. Bassett and Frank B. Williams, which should be invaluable to city planners and to students of municipal administration and constitutional law. First, the cases are listed under numerous subject headings, such as æsthetics, bill-boards, board of appeals, procedure, residential district, use, and so on, which are in turn further subdivided for convenience. Secondly, there is an index of cases by states, and finally an alphabetical index of cases. The pamphlet is published as an appendix to Volume VI of the regional survey and is issued in advance, so as to make it available for immediate reference.

F.S. Crofts and Company have brought out a revised edition of Robert E. Cushman's excellent *Leading Constitutional Decisions* (pp. xii, 343). The new cases which are added are : Olmstead v. United States, which deals with the problems of search and seizure and the admissability of evidence gained thereby; Myers v. United States, on the President's removal power; McGrain v. Daugherty, on the Senate's power to punish for contempt; and Euclid v. Ambler Realty Company, in which the Supreme Court upheld a comprehensive zoning ordinance. As in the earlier edition, explanatory notes precede each case. A table of cases reprinted or cited in the volume has also been added.

*The Court of Appeals of Maryland, a History* (pp. iii, 214), by Carroll T. Bond, chief judge of the court, traces in detail the history of the highest court of Maryland from 1695 to 1867 and also mentions briefly the changes since 1867. Special attention is given to the organization of the court, its procedure, personnel, the important lawyers who appeared before it, and the nature of its business. Judge Bond differs with the opinion of Bryce and others who assume "that under a system

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of choosing judges by popular election there must be a falling off in the quality of those chosen, and consequently in respect for the courts and the law which the judges administer."

The Macmillan Company has issued a booklet on *Questions and Problems in American Government*, prepared by Carl H. Erbe (pp. x, 125), to accompany Charles A. Beard's *American Government and Politics*. There are not only questions based on the textbook but also questions and problems for further study and discussion, references to other standard works, and a list of about one hundred and fifty political terms and expressions with which the student should become familiar.

The same company has published a booklet of about one hundred pages on *The Government of Wisconsin*, by S. M. Thomas. The author presents in concise form the salient facts regarding the government of that state, and there are also chapters on the history of the state, local government, taxation, voting and elections, and education, and a copy of the state constitution.

Students of government in New York City and elsewhere will find that *A Guide to the Principal Sources for Early American History (1600-1800) in the City of New York* (Columbia University Press, pp. xxv, 357), by Evarts B. Greene and Richard B. Morris, will be of great service, especially on such subjects as colonial administration and policy to 1763; the Continental Congress; the diplomacy of the American Revolution; the Confederation and Constitution; early state government; foreign relations, 1783-1800; the history of American law; and the judiciary. The volume contains a directory of the principal libraries and other depositories of New York City, a list of public records, documentary collections, newspapers and periodicals, the collected works of early American statesmen, and manuscript collections and the place in which each may be found.

*The Rise of the Whigs in Virginia*, by Henry H. Simms (Richmond, The Wm. Byrd Press, pp. ix, 204), discusses the views of the Jackson and anti-Jackson parties on such issues as the tariff, internal improvements, the Bank, nullification, slavery, and financial measures during the period 1824 to 1840. The fundamental thesis of the author is "that the principal opposition to Jackson in the state came from conserva-

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tive classes, from men possessed of property in slaves and otherwise who refused to accept either his brand of nationalism or his theory of democracy."

Eugene P. Chase, of Lafayette College, has translated the letters which François, Marquis de Barbé-Marbois, secretary to the French minister to the United States during the American Revolution, wrote to his fianceé. To the translation he has given the title of *Our Revolutionary Fathers* (Duffield, pp. ix, 225). Although dealing primarily with the travels of Barbé-Marbois in America, the volume throws light on social, economic, and political conditions at the time. Professor Chase has written an interesting introduction explaining the career of Barbé-Marbois and his writings.

### Local Government

Wylie Kilpatrick has produced an interesting study entitled *County Management: A Review of Developing Plans of County Administration in Virginia and North Carolina* (University of Virginia, pp. 46). Mr. Kilpatrick describes the attempts of nine counties in North Carolina and Virginia to improve their government, especially on the administrative side, through such plans as the limited county manager which is found in Davidson county, the financial clerk or auditor which is found in four counties, the directing engineer which is found in one county, and the popularly elective executive with an appointive auditor which exists in three counties. The author also deals with county and state relations, and in this connection favors coöperative administrative coördination or local adaptation of state policies rather than greater state centralization. For Virginia and North Carolina counties, he rejects the complete county manager plan modelled after the city-manager plan, explaining that the developments in the nine counties surveyed point to the gradual evolution of a county supervisory plan under which general oversight and complete financial control will be vested in the board of county commissioners or supervisors which will have a chief supervisor at the head, a financial supervisor who will act as agent of the board, and functional county boards of education, health, and welfare, which will administer their respective services through expert managers. Mr. Kilpatrick's study has grown out of his work at the Institute for Research in the Social Sciences at the University of Virginia.

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*City Growth Essentials*, by Stanley L. McMichael and Robert F. Brigham (Stanley McMichael Publishing Organization, Cleveland, pp. xxxi, 430), is a complete revision and reorganization of the authors' earlier work on *City Growth and Values*. The book is subdivided into three general sections on "Cities—Their Origin and Growth"; "Cities —Their Real Estate Values"; and "Modern Tendencies in Cities." The emphasis is on purely economic rather than political or social factors. The topics dealt with are too diverse to enumerate in full, but they include such important subjects as factors determining location of cities, types of cities, urban growth, influences affecting areal expansion, streets and highways, the utilization of urban land, topography as factor in land utilization, public transit as a factor in city growth, the basis of land values in cities, suburbanization, racial and national settlements and groupings, social control of land use, zoning, and controlling and directing the growth of cities by proper planning. This partial list of subjects gives some indication of the scope and usefulness of the volume, which, in the opinion of the reviewer, is the most interesting and comprehensive work that has appeared on American city growth, urban land economics, and the relation between real estate and public improvements. The value of the book is increased by the inclusion of about one hundred and twenty-five excellent illustrations, and at the end of each chapter will be found a number of questions based on the text. The book is not, by any means, merely a collection of facts and figures, but it also presents theories, observations, speculations, and fundamentals which are woven into an interesting account. It should be helpful in giving illustrations to the teacher of municipal government, and also furnish worth-while collateral reading for his courses.

The latest addition to the Whitehall series of volumes on the British government departments, published by Messrs. G. P. Putnam and Sons, is *Scotland Yard and the Metropolitan Police*, by J. F. Moylan (pp. xix, 331.) The author, who is Receiver for the Metropolitan Police District, traces the developments leading up to Peel's Metropolis Police Improvement Bill of 1829, describes the position of the Commissioner of Police and sketches briefly the various occupants who have held that post, discusses state control of the Metropolitan Police District, and explains the detailed organization of the police force, how the police work and live, the duties of the detective force, the Criminal Investigation Department, the Criminal Record Office,

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special duties of the police, traffic regulation, and the relation between police and public. He also deals with the recent inquiries into metropolitan police matters, which "have been mostly concerned with questions of policy and procedure," but which have also involved in the public mind at least "something in the nature of a general questioning of police methods and an idea that the relations of police and public are not as cordial as they used to be." The author defends the police against such criticism and points out that the motor car and other developments have placed new burdens upon them.

*Outdoor Recreation Legislation and its Effectiveness*, by Andrew G. Truxal (Columbia University Press, pp. vii, 219), summarizes the state and federal legislation enacted in aid of public recreation from 1915 to 1927, discusses the connection between city planning and outdoor recreation legislation, and attempts to evaluate the effect of recreation facilities on juvenile delinquency. There is also a helpful chapter on the legal liability of cities in the conduct of outdoor recreation. An analysis of the cases shows that while the courts in a majority of the states regard the conduct of recreation as a governmental function, and have declared cities non-liable, such a policy is by no means uniformly recognized. The most interesting feature of the study is Part Two, in which the author applies scientific statistical methodology to such environmental factors as child density per acre, racial composition, and delinquency, in order to determine the degree of association between play area and delinquency with special reference to Manhattan. The author concludes that "there appears to be a moderate association between the presence of recreation areas and the absence of juvenile delinquency, provided we have taken into account a sufficient number of the environmental influences."

A sixth edition of Wright and Hobhouse's well known manual on *Local Government and Local Taxation in England and Wales* has been edited by Cecil Oakes and published by Sweet and Maxwell (London, pp. 300). This follows the main lines of former editions in presenting the law on the subject. A new chapter on valuation has been added, to set forth the provisions of the Rating and Valuation Act of 1925; the chapter on housing has been rewritten to include the changes since the World War; there has been some rearrangement of chapters; and some additional matters are dealt with in the "miscellaneous" chapter. Published in 1928, however, this edition does not cover the important changes made during the present year.

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Teachers and students of state and local government are constantly confronted with the difficulty of obtaining concise and accurate information regarding state control over local finance in the various states. They will therefore welcome the booklet on *Relation Between State and Local Governments*, issued by the Finance Department of the Chamber of Commerce of the United States (Washington, D. C., pp. 27). This deals with central control over assessments, accounting, auditing, bond issues, and budgets. In conclusion, the question is raised whether there might not be developed a closer coöperation between state and local subdivisons in technical matters.

*Al Smith's Tammany Hall* (Institute for Public Service, pp. xii, 338), by William H. Allen, director of the Institute for Public Service, is a vigorous attack on the methods and influence of Tammany on New York City and state politics. The author's purpose in writing the book was to shatter the myth that Tammanyism has been reformed, and in this he has succeeded. Based on twenty years of fact-finding, the book is full of first-hand illustrative material.

## MISCELLANEOUS

The Oxford Press has published an English translation of *A History of Italy, 1871-1915* (pp. 333), by the famous historian Benedetto Croce. Political developments are given outstanding prominence, and the book is full of material of interest to the student of European governments. The author begins with an introductory chapter on "Political Controversies and Historical Realities in Italy after 1870;" then follow chapters on the period 1871-87 under the titles "Constitutional Adjustment and the Development of National Life," "Political and Moral Life," "Foreign Policy," and "Thought and Ideals." From these topics the author leads on to chapters on "The Revival and Transmutation of Ideals" (1890-1900); "The Crispi Period" (1887-96); "Attempts at Autocratic Government and the Return of Liberalism" (1901-10); "Liberal Government and Economic Expansion" (1901-10); "The Advance of Culture and Spiritual Unrest" (1901-14); "Internal Policies and the Libyan War" (1910-14); and "The Neutrality of Italy and her Entry into the World War" (1914-15). These chapter headings give an idea of the content of the volume and also the author's point of view and method of presentation. The book is as readable as a novel. The translator is Cecilia M. Ady.

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From the Ohio State University Press comes a volume entitled *Finland: The Republic Farthest North* (pp. xv, 220), by Eugene Van Cleef. As foretold by the subtitle, special attention is given to a study of the response of Finnish life to its geographic environment. Students of government will be particularly interested in the chapters dealing with agricultural coöperation, the cities of Finland, the history and politics of the country, and the Finn in America. A brief description of political parties is given, and of the issues which divide them, most of which center around economic questions and the conflict of language. The author points out that the Finn, upon his arrival in the United States, migrates usually to Massachusetts or to Minnesota, Wisconsin, or Michigan. He estimates that about one fourth of the Finns in the United States belong to the Socialist party, and that the great bulk of the others align themselves with progressive groups.

The worth and popularity of E. T. Williams' *China: Yesterday and Today* (Crowell, pp. xxiv, 743), which first appeared in 1923, are indicated by the fact that the book has gone through six printings and now appears in a fourth revised edition. The author has brought all of the facts down to the close of 1928, has rearranged the chapters, and has added some forty pages of new material. He points out that as a result of the "changes which have followed one another with kaleidoscopic rapidity" and the establishment of more stable government, the China of today is more than ever unlike the China of yesterday. It is therefore important to study carefully the influences which have made possible "the thorough uprooting of ancient institutions" in a land "so wedded to the past." In his opinion, "China with her vast resources and her industrious population cannot escape the destiny of becoming a great nation." The book is written from a sympathetic point of view and is especially valuable because of the author's long residence in China and close contact with its problems as former chief of the division of Far Eastern Affairs in the Department of State.

The Johns Hopkins Press has published *The Literary Bible of Thomas Jefferson: His Commonplace Book of Philosophers and Poets* (pp. 210), with an introduction by Gilbert Chinard. The book contains quotations from the writings of Herodotus, Bolingbroke, Cicero, Euripides, Homer, Milton, Vergil, and others, which Jefferson copied into a book that Professor Chinard believes was compiled largely during his student days. The work is a companion volume to *The Commonplace Book of*

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*Thomas Jefferson: A Repertory of his Ideas on Government*, published in 1926 by the Johns Hopkins Press. In the opinion of the editor, most of the selections from the Greek authors "reflect the natural disposition of a man who distrusts the masses and takes pride in his birth and in his ancestry," which is one of the reasons for inferring that the abstracts were compiled early in Jefferson's life and before he had formulated his democratic creed.

The addresses and papers presented at the annual meeting of the Academy of Political Science in the City of New York, in November, 1928, have been published under the title of *The Preservation of Peace*, edited by Parker Thomas Moon (Columbia University, pp. xvi, 131). Most of the papers center around the Pact of Paris, more popularly known as the Kellogg Pact. The volume is divided into three parts, on "The Renunciation of War as an Instrument of National Policy," "New Uses for the Machinery for the Settlement of International Disputes," and "The Pact of Paris." Among the contributors are Professors Seligman, Shotwell, Linglebach, Moon, Chamberlain, and Messrs, George W. Wickersham, Walter Lippmann, David Hunter Miller, Norman H. Davis, and Senator Arthur Capper.

*The Political Philosophies Since 1905* (pp. 377) is the outline of a course of lectures given at Benares, India, by Benoy Kumar Sarkar, and published by B. G. Paul and Company, Madras. After brief sketches of political ideas from 1776 to 1870, and from 1870 to 1905, the main body of the book summarizes the contemporary writers of the last twenty-five years. The work is chronological and objective, and with some mention of four hundred writers there is no opportunity for detailed analysis and criticism. Among the Europeans may be noted Lenin, Mussolini, and Spengler; Americans include Dewey, MacIver, Pound, and Woodrow Wilson; the Eastern world is represented by Zaglul Pasha, Kemal Pasha, Sun Yat-Sen, and Chittaranjar Das.

Frank Abbot Magruder has written a text-book for fourth-year high school and beginning college students on *National Governments and International Relations* (Allyn and Bacon, pp. xiv, 595). The book starts with an explanation as to how the United States conducts its foreign affairs, then describes the governments of our various colonial possessions and the problems connected with their administration, and finally proceeds to a consideration of, first, South America, and then other

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foreign governments, their problems and relations. Numerous illustrations and problems for discussion are presented at the end of each chapter.

Approximately a dozen informing and suggestive lectures delivered before the Inter-America Institute and the Pacific Southwest Academy of Political and Social Science in February, 1928, have been brought together in a volume entitled *Mexico* (Claremont, Cal., pp. 104). Various aspects of the Mexican problem are discussed by Señor Ramon Bateta, Señor Andrès Osuna, Professor Charles W. Hackett, and other recognized authorities.

*Last Words on the Roman Municipalities* (pp. 80), by W. J. Heitland, of Cambridge University, is a discussion of the relations of the municipal system to the decline and fall of the Roman Empire. The author considers that this system, while useful in building up the empire, contained inherent defects which were important factors in the later decadence and final break-up of the imperial power.

The year-book for 1927-28 of the North Carolina Club, an organization formed in 1914 for the study and discussion of public affairs, is devoted to *Studies in Taxation* (Univ. of North Carolina Press, pp. 131). Students of state and local government will find here a large amount of useful material on public finance. Attention may be called specially to "The Rural Tax Problem," by Clarence Heer; the "Property Tax Problem," by Ralph C. Hon; "Some Aspects of Municipal Finance in North Carolina," by Ina V. Young; and "Consumption Excise Taxes for State Purposes." The latter paper favors consumption taxes as a part of a diversified tax system.

One of the most recent additions to the Reference Shelf Series, published by the H. W. Wilson Company, is *Financing of State Highways* (pp. 209), compiled by Julia E. Johnsen. This booklet deals largely with the controversy of borrowing versus the pay-as-you-go method of financing state highways, and, like others in the series, presents affirmative and negative briefs (in this case, on the question of approving bond issues for financing highway construction), a bibliography, and extracts from books, articles, and reports dealing with both sides of the question.

*Taxation in the Modern State* (Longmans, pp. vii, 240), by Alzada Comstock, of Mt. Holyoke College, describes modern tax systems in

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the light of changes that have taken place since the war. The topics covered include post-war expenditures in Europe, post-war theories of taxation, American and British income taxes, Continental and Canadian income taxes, sales taxes, inheritance taxation, excises, customs, and capital levies. Students of government who are interested in learning the source of public revenues necessary to support governmental undertakings will find the book of much value.

Political scientists will be interested mainly in that portion of J. A Hobson's *Economics and Ethics* (Heath, pp. 489) which has to do with organic reforms of the economic system, more particularly two chapters dealing with the state and industry and the ethics of economic internationalism.

Volume II of Social and Economic Studies of Post-War France, edited by Carlton J. H. Hayes, is *The Process of Inflation in France, 1914-1927* (Columbia University Press, pp. 378). The work is of scholarly character and will prove of much value to students of public finance.

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# RECENT PUBLICATIONS OF POLITICAL INTEREST
## BOOKS AND PERIODICALS

CLARENCE A. BERDAHL
*University of Illinois*

### AMERICAN GOVERNMENT AND PUBLIC LAW

*Books*

*Asbury, Herbert.* Carrie Nation: the woman with the hatchet. N. Y.: Knopf.

*Berglund, Abraham,* and *Wright, Philip Green.* The tariff on iron and steel. Pp. 257. Washington: Brookings Institution.

*Black, John D.* Agricultural reform in the United States. N. Y.: McGraw-Hill.

*Bowers, Claude G.* The tragic era: the revolution after Lincoln. Pp. 567. Boston: Houghton Mifflin.

*Bowers, Renzo Dee,* comp. The inaugural addresses of the presidents. Pp. 461. St. Louis: Thomas Law Book Co.

*Bradway, John S.,* comp. Laws of Pennsylvania relating to social work. Pp. 261. Pittsburgh: Pub. Charities Assoc. of Pa.

*Chinard, Gilbert.* Thomas Jefferson: the apostle of Americanism. Boston: Little, Brown.

*Davis, John W.* Party government in the United States. Princeton: Princeton Univ. Press.

*De Haas, Joseph.* Louis D. Brandeis. Pp. 296. N. Y.: Bloch Pub. Co.

*Euler, Louis J.* Monopolies and federal anti-trust laws. Chicago: Callaghan.

*Halloran, Matthew F.* The romance of the merit system. Pp. vii+314. Hyattsville (Md.): The Author.

*Holden, Raymond.* Abraham Lincoln: the politician and the man. N. Y.: Minton Balch.

*Johnson, Willis Fletcher.* George Harvey. Boston: Houghton Mifflin.

*Lindsay, E. E.* Problems in school administration. Pp. xxiv+544. N. Y.: Macmillan.

*Merriam, Charles E.,* and *Gosnell, Harold F.* The American party system. (Rev. ed.) N. Y.: Macmillan.

*Moon, Parker Thomas,* ed. Railroad consolidation. Pp. xii+125. Proc. Acad. Pol. Sci. June, 1929.

*Mosher, William E.,* and *Others.* Electrical utilities: the crisis in public control. Pp. 355. N. Y.: Harper's.

*Musmanno, M. A.* Proposed amendments to the constitution. Pp. 253. Washington: Govt. Prtg. Off.

*National Industrial Conference Board.* The American merchant marine problem. N. Y.: Nat. Ind. Conf. Board.



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*Peska, Zdenck.* La législation directe. Récent développement constitutionnel aux États-Unis. Pp. 200. Paris: Bratislava.

*Rottschaefer, Henry.* Cases on the law of taxation. Chicago: Callaghan & Co.

*Schmeckebier, Laurence F.* The bureau of prohibition: its history, activities, and organization. (Service Monographs of the U. S. Govt.) Washington: Brookings Institution.

*Schmittkind, Henry T.* The story of Eugene Debs. Boston: Nat. Educ. Com., Ind. Workmen's Circle.

*Simms, Henry H.* The rise of the whigs in Virginia, 1824–1840. Pp. 204. Richmond (Va.): Wm. Byrd Press.

*Smith, Ethel M.* Toward equal rights for men and women. Pp. 139. Washington: Nat. League of Women Voters.

*Stewart, Frank Mann.* The national civil service reform league: its history, activities and problems. Pp. 304. Austin (Tex.): Univ. of Tex. Press.

*Tate, Allen.* Jefferson Davis: his rise and fall. N. Y.: Minton Balch.

*White, John R.* Bullets and bolos: fifteen years in the Philippines. N. Y.: Century Co.

*Wriston, Henry Merritt.* Executive agents in American foreign relations. (Albert Shaw Lectures on Dipl. Hist.) Pp. xii+874. Baltimore: Johns Hopkins Press.

*Articles*

**Administrative Tribunals.** The bearing of Myers v. United States upon the independence of federal administrative tribunals. *James Hart.* Am. Pol. Sci. Rev. Aug., 1929.

**Advisory Opinions.** Advisory opinions in North Carolina. *A. K. Smith.* N. C. Law Rev. June, 1929.

**Agricultural Relief.** Putting the factory on the farm. *S. G. Rubinow.* Current Hist. Sept., 1929.

———. Enter farm relief. *W. M. Jardine.* Sat. Eve. Post. Sept. 14, 1929.

**Amendments.** Amending the federal constitution. *Finis J. Garrett.* Tenn. Law Rev. June, 1929.

———. The difficulty of amending our federal constitution: defect or asset? *M. A. Musmanno.* Am. Bar Assoc. Jour. Aug., 1929.

**Business Regulation.** State regulation of business. *Henry B. Witham.* Tenn. Law Rev. Apr., 1929.

**Cabinet.** Congress seats for cabinet members. *Herbert F. Wright.* Const. Rev. Jan., 1929.

———. The new cabinet at work. *Theodore G. Joslin.* World's Work. Sept., 1929.

**Campaign Expenditures.** The report of the Steiwer committee. *James K. Pollock, Jr.* Am. Pol. Sci. Rev. Aug., 1929.

**Censorship.** The customs men keep us pure. *Duff Gilfond.* New Repub. July 3, 1929.

**Church and State.** America and the pope: a frank protestant view. *David A. Orebaugh.* Forum. July, 1929.

———. An American pope? *George Young.* New Repub. July 31, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Civil Liberty.** The fight for civil liberties. *Editor.* New Repub. July 24, 1929.

**Colonial Representation.** Some aspects of representation in the American colonies. *W. Neil Franklin.* N. C. Hist. Rev. Jan., 1929.

**Congress.** Congressional reapportionment. *Zechariah Chafee, Jr.* Harvard Law Rev. June, 1929.

———. Congressional investigations and contempts. *Charles W. Shull.* U. S. Law Rev. July, 1929.

**Conservation.** Forest devastation must stop. *Robert Marshall.* Nation. Aug. 28, 1929.

**Constitution.** Teaching the constitution. *Samuel P. Weaver.* Am. Bar Assoc. Jour. Sept., 1929.

**Constitutional Law.** State constitutional law in 1928–29. *Oliver P. Field.* Am. Pol. Sci. Rev. Aug., 1929.

**Court-Martial.** A comparison of civil and court-martial procedure. *Howard Clarke, 2nd.* Ind. Law Jour. June, 1929.

**Delegation of Powers.** Delegation of powers: Wright act of California. *I. H. P.* Calif. Law Rev. July, 1929.

**Democratic Party.** The future of the democratic party. *Robert Stanley Rankin.* S. Atlan. Quar. July, 1929.

**Deportation.** The deportation of undesirable aliens. *Remsen Crawford.* Current Hist. Sept., 1929.

**Due Process.** Due process, jurisdiction over corporations, and the commerce clause. *Note Editor.* Harvard Law Rev. June, 1929.

**Education.** Constitutional limitations of the legislative power to compel education. *Charles N. Lischka.* Catholic Educ. Rev. Feb., 1929.

———. The legal basis of school property in Tennessee. *Fred H. Barber.* Tenn. Law Rev. June, 1929.

———. The administrative functions of the department of public instruction. *Herbert Clare Cook.* Ia. Jour. Hist. and Pol. July, 1929.

**Ex Post Facto.** Habitual criminal acts and the ex post facto clause. *Sam Elson.* St. Louis Law Rev. July, 1929.

**Federal Reserve System.** Recent federal reserve policy. *Harold L. Reed.* Federal reserve policy, 1923–24. *Harold L. Reed.* Jour. Pol. Econ. June, Aug., 1929.

———. Federal reserve policy: its international implications. *Franz Schneider, Jr.* For. Affairs. July, 1929

———. Is the reserve board keeping faith? *William Trufant Foster* and *Waddill Catchings.* Atlan. M. July, 1929.

**Gastonia Case.** The south fights the unions. *George Fort Milton.* Class war in North Carolina. *Editor.* New Repub. July 10, Sept. 25, 1929.

———. Justice and chivalry in Carolina. *Paul Porter.* Anarchy vs. communism in Gastonia. *Nell Battle Lewis.* Nation. Aug. 28, Sept. 25, 1929.

**General Welfare Clause.** Judge Story's position on the so-called general welfare clause. *Henry St. George Tucker.* Const. Rev. Jan., 1929.

———. Our national constitution: the general welfare. *Homer Albers.* Boston Univ. Law Rev. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Governmental Costs.** Purchasing power of the dollar and its relation to increase in governmental costs. *George M. Link.* Minn. Municipalities. July, 1929.

**Harvey.** George Harvey, journalist and ambassador. *Willis Fletcher Johnson.* Sat. Eve. Post. Aug. 31, Sept. 7, 14, 21, 1929.

**Hoover.** Hoover picks his men. *William Hard.* Rev. of Revs. Aug., 1929.

———. Hoover the president. *William Hard.* World's Work. Sept., 1929.

**Immigration.** The national-origins dilemma. *Editor.* A dyke against Mexicans. *Robert N. McLean.* New Repub. June 19, Aug. 14, 1929.

**Indian Problem.** Why Americanize the Indian? *Mary Austin.* Forum. Sept., 1929.

**Initiative and Referendum.** The function of the attorney-general, the advisory function of the justices of the supreme judicial court, and the jurisdiction of the court, under the I & R amendment. *F. W. Grinnell.* Mass. Law Quar. May, 1929.

**Injunction.** Use of the injunction by the employee against the employer and third parties. *R. J.* Dakota Law Rev. June, 1929.

**Judicial Council.** Judicial councils. *Thurman Arnold.* W. Va. Law Quar. Apr., 1929.

———. Connecticut judicial council reports. *Lane W. Lancaster.* Nat. Mun. Rev. July, 1929.

———. Judicial council reviewed. Jour. Am. Judicature Soc. Aug., 1929.

———. North Carolina judicial conference. *Fred B. McCall.* Am. Bar Assoc. Jour. Sept., 1929.

**Judicial Review.** A survey of the proposals to limit or deny the power of judicial review by the supreme court of the United States. I. II. *Maurice S. Culp.* Ind. Law Jour. Mar., Apr., 1929.

———. Public officer's right to question the constitutionality of a statute in mandamus proceedings. *Note Editor.* Harvard Law Rev. June, 1929.

**Judiciary.** Proposed limitations upon our federal courts. *Gurney E. Newlin.* Am. Bar Assoc. Jour. July, 1929.

**Jury Trial.** Jury trial no burden in Louisiana. Jour. Am. Judicature Soc. Aug., 1929.

**Labor.** Labor banking after ten years. *Leo Wolman.* New Repub. Aug. 21, 1929.

**Legislation.** A survey of recent statutory changes in North Carolina. *Faculty of the School of Law.* N. C. Law Rev. June, 1929.

———. Where does legislation originate? *Harvey Walker.* Nat. Mun. Rev. Sept., 1929.

**Lincoln.** Lincoln in the rôle of dictator. *James G. Randall.* S. Atlan. Quar. July, 1929.

**Lobby.** Lobbying. *Edward B. Logan.* Ann. Am. Acad. July, 1929 (Supp.).

**Marbury v. Madison.** Marbury v. Madison today. *J. A. C. Grant.* Am. Pol. Sci. Rev. Aug., 1929.

**Martial Law.** The rationale of martial law. *Frazer Arnold.* Am. Bar Assoc. Jour. Sept., 1929.

**Motor-Carrier Regulation.** Motor-carrier regulation and its economic bases. *G. Shorey Peterson.* Quar. Jour. Econ. Aug., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Negro Problem.** Race in politics. *T. J. Woofter, Jr.* Social Forces. Mar. 1929.

———. The participation of negroes in the government of Virginia from 1877 to 1888. *James Hugo Johnston.* Jour. Negro Hist. July, 1929.

———. The crumbling color line. *Oswald Garrison Villard.* Harper's. July, 1929.

———. Slavery in the south today. *Winifred Kirkland.* Century. July, 1929.

———. A white man in the south. *G. Peyton Wertenbaker.* Keeping the negro in his place. *George S. Schuyler.* A negro looks at politics. *James Weldon Johnson.* Am. Mercury. July, Aug., Sept., 1929.

———. The negro's new belligerent attitude. *V. F. Calverton.* Current Hist. Sept., 1929.

**Nonpartisan League.** Public ownership in North Dakota. *Alfred S. Dale.* New Repub. July 3, 1929.

**O'Fallon Case.** The O'Fallon case—the decision and what it portends. *John Bauer.* Nat. Mun. Rev. July, 1929.

———. Undetermined issues in railroad valuation under the O'Fallon decision. *William L. Ransom.* Pol. Sci. Quar. Sept., 1929.

**Panama Canal.** World-wide changes in trade due to Panama canal. *Roger D. Lapham.* Current Hist. July, 1929.

**Pardon.** Criminal contempt and the pardoning power. *George S. Koles.* Cornell Law Quar. June, 1929.

**Park System.** The growth of our national park system. *William Atherton Du Puy.* Current Hist. Aug., 1929.

**Patronage.** Jefferson Davis and the confederate patronage. *Harrison A. Trexler.* S. Atlan. Quar. Jan., 1929.

**Philippines.** America's own "India." *Ignatius Phayre.* Quar. Rev. July, 1929.

———. Are we successful imperialists? *Richard Washburn Child.* Sat. Eve. Post. Sept. 7, 1929.

**Politics.** Le rôle politique de l'association aux États-Unis. II. *W. Y. Elliott.* Rev. Sci. Pol. Apr.-June, 1929.

———. Jehovah of the tar heels. *W. J. Cash.* Ingalls of Kansas. *Benjamin De Casseres.* Am. Mercury. July, 1929.

———. Republicans and the rest of us. *Benjamin B. Kendrick, Sr.* Nation. July 31, 1929.

———. The poor man in politics. *Oliver McKee, Jr.* N. Am. Rev. Aug., 1929.

**Price Fixing.** Legislative price control. *Estes Kefauver.* Tenn. Law Rev. Apr., 1929.

———. Vicissitudes of the price fixing doctrine. *Arthur L. Haugan.* Dakota Law Rev. June, 1929.

**Primary.** The demerits of the direct primary. *Finley C. Hendrickson.* Const. Rev. Jan., 1929.

**Prohibition.** Use of the federal padlock law in state courts. *Alexander Lincoln.* Mass. Law Quar. May, 1929.

———. Effect of national prohibition on state criminal jurisdiction. *Cuthbert B. Caton.* Cornell Law Quar. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The art of drink on the border. *Owen P. White.* Portia in wonderland. *A Washington Correspondent.* Am. Mercury. July, 1929.

———. How doth the busy moonshiner! *Francis Pridemore.* "Congress shall have power." *Henry Alan Johnston.* Shall we scrap the constitution? *David L. Fultz.* N. Am. Rev. July, Sept., 1929.

———. The government investigates: the story of the Wirkkula killing. *Abraham I. Harris.* Rum running on the Detroit river. *Morrow Mayo.* Nation. July 24, Sept. 4, 1929.

———. That squelched prohibition pamphlet. *Duff Gilfond.* Antigone and prohibition. *John Jay Chapman.* New Repub. July 24, Sept. 11, 1929.

———. The enforcement of prohibition: I. "Unnatural, odious and unworkable law." *William Cabell Bruce.* II. The "wet propaganda for violation." *Stanley High.* Current Hist. Aug., 1929.

———. Repeal the Jones act! *Frederic R. Coudert, Jr.* Enforce prohibition! *F. Scott McBride.* Forum. Aug., Sept., 1929.

———. Intricacies of the dry law. The eighteenth amendment can be amended. *Dudley Cammett Lunt.* World's Work. Aug., Sept., 1929.

**Public Utilities.** The supreme court on valuation and intercorporate relations. *E. W. Morehouse.* Some problems of state control of public utility holding companies. *E. W. Morehouse.* The experience of Oregon with popular election and recall of public service commissioners. *Merton K. Cameron.* Jour. Land & Pub. Utility Econ. Feb., 1929.

———. Public utility rate regulation. I. *Philip Cabot.* Harvard Business Rev. Apr., 1929.

———. The meaning of present value as public utility rate base. *Lawrence P. Simpson.* W. Va. Law Quar. June, 1929.

———. On the distinction between a non-confiscatory rate and a just and reasonable rate. *Maurice H. Merrill.* Cornell Law Quar. June, 1929.

———. The valuation of natural gas leaseholds. *R. J. S.* Yale Law Jour. June, 1929.

———. Goliath and his Davids. *Raymond S. Tompkins.* Am. Mercury. July, 1929.

———. The crisis in electric power. *Editor.* New Repub. July 24, 1929.

———. The triumph of the power companies. *H. S. Raushenbush.* The power trust in the public schools. *George W. Norris.* Wisconsin's power fight. *Alvin C. Reis.* Federal control of the power trust. *Drew Pearson.* Governor Roosevelt's power program. *Samuel I. Rosenman.* Nation. Sept. 18, 1929.

**Railroad Problem.** Our lagging railway mergers. *Samuel W. Moore.* Va. Law Rev. June, 1929.

———. Valuation theory as applied to United States railroads. *W. A. Orton.* Econ. Jour. June, 1929.

**Search and Seizure.** Does the search and seizure clause hinder the proper administration of criminal justice? *Glenn D. Roberts.* Wis. Law Rev. June, 1929.

**Smith.** Up to now—an autobiography. *Alfred E. Smith.* Sat. Eve. Post. July 27, Aug. 3, 10, 17, 24, 31, Sept. 7, 14, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**State Administration.** Administrative reorganization and the university of Minnesota. *Harvey Walker.* Am. Pol. Sci. Rev. Aug., 1929.

**State Constitutions.** Amending the Arkansas constitution. *John S. Strahorn, Jr.* Southwestern Pol. and Soc. Sci. Quar. June, 1929.

**State Department.** Handicapped diplomacy. *Henry Kittredge Norton.* World's Work. July, 1929.

**Tariff.** Making a tariff law. *Ogden L. Mills, Thomas O. Marvin,* and *Others.* Cong. Digest. June-July, 1929.

———. Tariff and American foreign trade. *Lewis Webster Jones.* For. Pol. Assoc. Inf. Service. June 12, 1929.

———. A license to steal. *William C. Murphy, Jr.* Nation. Aug. 7, 1929.

———. Do manufacturers need "relief?" *Sumner H. Slichter.* New Repub. Aug. 28, 1929.

———. Is the tariff fair to farmers? *Theodore Christianson.* N. Am. Rev. Sept., 1929.

**Taxation.** Taxation tyranny. *Harold P. Marley.* Am. Federationist. June, 1929.

———. Extraterritorial collection of state inheritance taxes. *Note Editor.* Columbia Law Rev. June, 1929.

———. National bank taxation in California. III. *Roger J. Traynor.* Calif. Law Rev. July, 1929.

———. Federal taxation of antecedent transfers. *Raymond D. Thurber.* U. S. Law Rev. July, 1929.

———. Death taxes—developments in reciprocity. *Leo Brady.* Am. Bar Assoc. Jour. Aug., 1929.

**Tort Claims.** The federal tort claims bill. *Edwin M. Borchard.* Am. Jour. Int. Law. July, 1929.

**Unemployment.** Better jobs and more of them: the government's part in preventing unemployment. *William Trufant Foster* and *Waddill Catchings.* Century. July, 1929.

**Uniform Legislation.** The federal courts and the construction of uniform state laws. *J. B. Fordham.* N. C. Law Rev. June, 1929.

**Vice President.** Heap big chief. *A Washington Correspondent.* Am. Mercury. Aug., 1929.

**Voting.** Voting in California, 1900–1926. *Charles H. Titus.* Southwestern Pol. and Soc. Sci. Quar. June, 1929.

**Wall Street.** Does Wall street rule us? I. Plutocracy in the saddle. *Norman Thomas.* II. Bondage exchanged for bonds. *William Bennett Munro.* Forum. July, 1929.

**War Propaganda.** Keeping the profit in war. *Editor.* New Repub. Sept. 18, 1929.

**Wilson.** Woodrow Wilson: a study in personality. *William E. Brooks.* Century. Aug., 1929.

**Workmen's Compensation.** Compensation for diseases caused by conditions of employment. *P. W. Viesselman.* Dakota Law Rev. Feb., 1929.

———. Workmen's compensation—conflict of state and federal acts. *Donald A. Butchart.* Wis. Law Rev. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

## FOREIGN AND COMPARATIVE GOVERNMENT

*Books*

*Abecg, Wilhelm.* Die preussische Verwaltung und ihre Reform, Länder und Reich. Berlin-Zehlendorf: Sieben Stäbe-Verlag.

*Adametz, W.* Die deutsche Verwaltungs-und Verfassungsreform in Zahlen. Pp. 226. Berlin: Reichsverband der Deutschen Industrie.

*Asakawa, Kanichi,* ed. The documents of Iriki, illustrative of the development of the feudal institutions of Japan. Pp. 442. New Haven: Yale Univ. Press.

*Augur.* Eagles black and white. Pp. 206. N. Y.: Appleton.

*Austo.* Die Reform der öffentlichen Verwaltung in Deutschland mit dem Entwurf eines Reichsermächtigungsgesetzes. Berlin: Askanischer Verlag.

*Bhandarkar, D. R.,* ed. India. Pp. iv+203. Ann. Am. Acad. Sept., 1929. (Part II).

*Booth, E. Whitton.* Valuations for rating. Pp. xxiii+392. London: Butterworth.

*Borovička, J.* Ten years of Czechoslovak politics. Pp. 131. Prague: Orbis.

*Broda, R.* Minimum wage legislation in various countries. (Bureau of Labor Statistics, No. 467.) Pp. 125. Washington: Govt. Printing Office.

*Campion, G. F.* An introduction to the procedure of the house of commons. Pp. xix+308. London: Philip Allan.

*Carency, J. de.* Joseph Pilsudski, soldat de la Pologne restaurée. Pp. 228. Paris: La Renaissance du Livre.

*Chasles, Pierre.* La vie de Lenine. Paris: Plon.

*Couve de Murville, Henri.* Le gouverneur dans les dominions britanniques. Pp. 205. Paris: Rousseau.

*Crosa, Emilio.* Lo stato parlamentare in Inghilterra e in Germania. Pp. 139. Pavie: Collana di Scienze Politiche.

*Davey, Herbert,* and *Smith, Alfred J.* The poor law statutes (consolidated). Pp. xxxvi+463. London: Stevens.

*Dúason, Jón.* Grönlands statsretslige stilling in middelalderen. Pp. 216. Oslo: Nikolai Olsens Boktrykkeri.

*Dubrowski, S.* Die Bauernbewegung in der russischen Revolution, 1917. Berlin: Paul Parey.

*Engelenburg, F. V.* General Louis Botha. Pp. 352. London: Harrap.

*Farbman, Michael,* ed. Political Britain: parties, policies, and politicians. Pp. 194. London: Europa Press.

*Faucon, Guillaume.* Le statut de l'état libre d'Irlande. Pp. 252. Paris: Rousseau.

*François, G.,* et *Mariol, H.* Législation coloniale. Pp. 392. Paris: Larose.

*Fucile, E.* Le mouvement syndical et la réalisation de l'état corporatif en Italie. Pp. 208. Paris: Rivière.

*Garibaldi, E.* Fascismo garibaldino. Pp. 242. Rome: Camicia Rossa.

*Gensoul, Louis.* L'organisation de la justice à l'usage des gens du monde. Pp. 231. Paris: Libr. de la Revue Française.

*Greenwall, H. J.* Mirrors of Moscow. Pp. 266. London: Harrap.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Helmreich, Karl.* Grundriss des bayerischen Verwaltungsrechts unter Berücksichtigung des Reichsrechts. München: Schweitzer Verlag.

*Hill, Sir Claude H.* India: stepmother. Pp. 334. London: Blackwood.

*Holtz, D.* Verfassungs- und Verwaltungsreform in Reich und Ländern. Berlin: Stilke.

*Horber, Carl.* Die schweizerische Politik. Pp. 296. Zurich: Bopp.

Illustrated history of the Russian revolution, 1917–1927. Vol. II. N. Y.: Int. Pubs.

*Jellinek, Walter.* Verwaltungsrecht. Pp. xviii+551. Berlin: Julius Springer.

*Johnson, J. W. de Graft.* Towards nationhood in West Africa. Pp. 158. London: Headley.

*Konstam, E. M.* The rating and valuation (apportionment) act, 1928. Pp. 223. London: Butterworth.

*Korostowetz, W. K. de.* Quo vadis Polonia? Choses vues en Europe orientale. Pp. 290. Paris: Rivière.

*Kranenburg, R.* Het Nederlandsch staatsrecht. Pp. 433. Haarlem: Tjeenk.

*Laporte, Henry.* Le premier échec des rouges. Pp. 192. Paris: Payot.

*Leclerc, A.* Le vote des femmes en France. Pp. 236. Paris: Rivière.

*Lescure, Jean.* La révolution russe. Le bolchevisme, communisme et N. E. P. Paris: Gamber.

*Lyon, J.* La crise en Russie soviétique. Paris: Alcan.

*Marx, Pierre.* L'évolution du régime représentatif vers la régime parlementaire de 1814 à 1816. Pp. 225. Paris: Rousseau.

*Marye, George Thomas.* Nearing the end in imperial Russia. Pp. 479. Philadelphia: Dorrance.

*Meyendorff, Baron Alexander.* The background of the Russian revolution. Pp. 212. N. Y.: Holt.

*Molisch, Paul.* Vom Kampf der Tschechen um ihren Staat. Pp. 164. Vienna: Braumüller.

*Molotov, V.* The communist party of the soviet union. London: Modern Books, Ltd.

*Nathan, Manfred.* Empire government. Cambridge: Harvard Univ. Press.

*Oldenbourg, Serge.* Le coup d'état bolchéviste. Pp. 528. Paris: Payot.

*Perroux, François.* Contribution à l'étude de l'économie et des finances publiques de l'Italie depuis la guerre. Pp. 357. Paris: Giard.

*Poelje, G. A. van.* Beginselen van het Nederlandsch administratief recht. Alphen: N. Samson.

*Port, Frederick John.* Administrative law. Pp. xxii+358. London: Longmans.

*Rayner, Robert M.* The story of trade unionism from the combination acts to the general strike. N. Y.: Longmans.

*Rheinbaben, Rochus Freiherr von.* Liberale Politik im neuen Reiche. Karlsruhe: G. Braun.

*Ridges, Edward Wavell.* Constitutional law of England. (Fourth ed., by Sydney E. Williams.) Pp. 461. London: Stevens.

*Rivarola, Rodolfo.* La constitucion argentina y sus principos de etica politica. Pp. 232. Buenos Aires: Edit. Argentina de Ciencias Politicas.

*Sarma, S. K.* Towards Swaraj. Pp. 428. Madras: Iyengar.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Scholefield, Joshua,* and *Crouch, J. Leonard.* The law of rating and valuation (outside London). Pp. 411. London: Butterworth.

*Smilg-Benario, Michael.* Von Kerenski zu Lenin. Pp. 324. Vienna: Amalthea.

*Smith, Ernest Gardiner,* ed. The laws of the gold coast colony: Laws of Ashanti, British Togoland, and northern territories. 5 vols. London: Waterlow.

*Tiltman, H. Hessell.* James Ramsay MacDonald: labour's man of destiny. An authentic life. London: Jarrolds.

*Vandervelde, Émile.* Le pays d'Israel. Pp. 256. Paris: Rieder.

*Weiss, Max.* Der nationale Wille. Werden und Wirken der deutschnationalen Volkspartei 1918–1928. Pp. 405. Berlin: Andermann.

*Wertheimer, Egon.* Portrait of the labour party. (Translated from the German.) Pp. xxiii+216. London: Putnam's.

*Williams, Basil.* The British empire. Pp. 252. N. Y.: Holt.

*Williams, C. Willoughby.* Rogers on elections. Vol. I. Registration, parliamentary, municipal and local government. (18th ed.) Pp. xii+178. London: Stevens.

*Wood, Ernest.* An Englishman defends mother India. Pp. viii+458+ix. Madras: Ganesh.

*Wu, C. C.* Nationalist program for China. New Haven: Yale Univ. Press.

*Wu, Wu Ki.* La nouvelle Chine et le gouvernement national. Pp. 210. Paris: Rivière.

*Yardley, Robert Blake.* Land value taxation and rating. Pp. xvi+784. London: W. H. and L. Collingridge.

*Articles*

**Afghanistan.** L'organisation politique de l'Afghanistan. *René Le Conte.* Rev. Droit Pub. et Sci. Pol. Apr.-June, 1929.

**Argentine.** Hypolito Irigoyen: Eine historische Präsidentschaft? *Leonore Deiters de Quesada.* Nord und Süd. June, 1929.

———. President Irigoyen of Argentina. *Hugo Wast.* Current Hist. Aug., 1929.

**Austria.** The last of the Hapsburgs. *Robert Dunlop.* Contemp. Rev. July, 1929.

**Baltic States.** The Baltic states today. *H. Charles Woods.* Contemp. Rev. Aug., 1929.

**Belgium.** The Flemish question. *Comtesse De Meeûs.* Nine Cent. July, 1929.

**British Empire.** Review of legislation. *Cecil T. Carr* and *Others.* Jour. Comp. Legis. and Int. Law. May, 1929.

———. Nigerian political institutions. *Ben N. Azikiwe.* Jour. Negro Hist. July, 1929.

———. Britain's attempt to consolidate her empire. *Albert Bushnell Hart.* Current Hist. Sept., 1929.

———. British imperialism foredoomed. *H. G. Wells.* New Repub. Sept. 4, 1929.

**Canada.** Canada's relations with the empire as seen by the Toronto Globe, 1857–1867. *F. H. Underhill.* Canadian Hist. Rev. June, 1929.

———. Canadian admiralty jurisdiction and shipping laws. *Charles J. Burchell.* Law Quar. Rev. July, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**China.** The issues involved in China's latest strife. *Wilbur Burton.* China's leaders in struggle for power. *Harold S. Quigley.* Current Hist. July, 1929.

———. China in the world family. *Herbert B. Elliston.* For. Affairs. July, 1929.

———. Um die Reichsreform in China. *Eduard Klocke.* Der Türmer. July, 1929.

———. What next in China? II. Domestic problems of the national government. *Nathaniel Peffer.* New Repub. July 31, 1929.

———. The cult of Sun Yat-Sen. *J. O. P. Bland.* English Rev. Aug., 1929.

———. Factors in the Chinese situation. *Stephen P. Duggan.* Pol. Sci. Quar. Sept., 1929.

**Constitutions.** The constitution of the United States compared with the constitutions of Mexico, Germany, and Russia. *Z. Denkelbaum.* Notre Dame Lawyer. Dec., 1928.

———. Les nouvelles tendances du droit constitutionnel. *B. Mirkine-Guetzevitch.* Rev. Droit Pub. et Sci. Pol. Apr.-June, 1929.

**Czechoslovakia.** Die Prüfung der Verfassungsmässigkeit von Gesetzen in der Čechoslovakischen Republik. *Jaroslav Krejči.* Zeitschr. f. Ostrecht. Jan., 1929.

**Denmark.** L'orientation de la politique danoise. *Dr. Bruel.* Rev. Mondiale. July 15, 1929.

**Egypt.** L'expérience constitutionnelle de l'Égypte. *P. Arminjon.* Rev. Paris. June 1, 1929.

**Europe.** L'avenir social de l'Europe. *E. Venizelos.* Rev. Mondiale. May 15, 1929.

———. Die soziale Zukunft Europas. *Eleutherios Venizelos.* Nord und Süd. June, 1929.

**Finland.** The other prohibition country. *Rheta Childe Dorr.* Harper's. Sept., 1929.

**France.** La doctrine administrative et les services publics. II. La prévoyance. *Henri Fayol.* Rev. Int. Sci. Admin. No. 1, 1929.

———. La mise à la retraite des fonctionnaires publics. *Gaston Jèze.* Le législateur colonial. *A. Bienvenu.* Rev. Droit Pub. et Sci. Pol. Apr.-June, 1929.

———. Les femmes dans la fonction publique. *Pierre d' Hugues.* Grande Rev. June, 1929.

———. L'Alsace-Lorraine terre d'empire. Protestation. Autonomisme. *J. Dontenville.* Nouvelle Rev. June 1, 15, 1929.

———. Nos finances pendant la guerre. *F. François-Marsal.* Rev. Deux Mondes. July 1, 1929.

———. Les finances extérieures de la France pendant la guerre. *Pierre Guebhard.* Rev. Bleue. July 6, 1929.

———. Alsace and Lorraine: ten years after. *R. K. Gooch.* New Repub. July 10, 1929.

———. Souvenirs d'un trésorier de l'assistance publique. I. *Camille Audigier.* Correspondant. July 10, 1929.

———. La crise politique. *Ignotus.* Rev. Paris. July 15, 1929.

**Germany.** Vom Problem der Rechtsgeschichte. *Wilhelm Sauer.* Archiv für Rechts-u. Wirtschaftsphilosophie. Jan., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Der deutsche Parlamentarismus. *Rudolf Breitscheid.* Nord und Süd. May, 1929.

———. Où va l'Allemagne? *A. von Nostitz-Walwitz.* Rev. Mondiale. May 15, 1929.

———. Wege zur Neugestaltung des Reiches (*Schluss*). *Fritz Stier-Somlo.* Deutsche Rundschau. June, 1929.

———. Zur Übertragung der Justizhoheit auf das Reich. *Ulrich Fritze.* Zeitschrift gesamte Staatswissenschaft. July, 1929.

———. Post-war coöperation in Germany. *D. N. Bannerjea.* Contemp. Rev. Aug., 1929.

———. The German labor courts. *Horace B. Davis.* Pol. Sci. Quar. Sept., 1929.

**Great Britain. Government.** The early records of the English parliaments. II. III. *H. G. Richardson* and *George Sayles.* Bull. Inst. Hist. Research. Nov., 1928; Feb., 1929.

———. The crown as litigant. *J. W. Gordon.* Law Quar. Rev. Apr., 1929.

———. The disfranchised. *R. M. Montgomery.* Nine. Cent. July, 1929.

———. The appellate jurisdiction of government departments. *I. G. Gibbon.* The limitations of the judicial functions of public authorities. *T. M. Cooper.* University education in and for the public administration after entry into the service. *Sir Henry Bunbury* and *Others.* The professional expert and administrative control. *J. R. Howard Roberts* and *A. S. M. Macgregor.* Pub. Admin. July, 1929.

———. Parliamentary government. *Harold Cox.* The poor law in necessitous areas. *H. J. Marshall.* Edin. Rev. July, 1929.

———. The house of lords, 1689–1783. I. *Sir W. S. Holdsworth.* Law Quar. Rev. July, 1929.

———. The high sheriff. *F. D. MacKinnon.* Cornhill Mag. July, 1929.

———. The great seal of England. *Percy Pigott.* The law and the executive. *W. Marshall Freeman.* English Rev. July, Aug., 1929.

———. The lord chancellor as a minister of justice. *Kenneth M. Johnson.* Jour. Am. Judicature Soc. Aug., 1929.

———Politics. À la veille des élections générales. La situation économique et sociale. Les partis politiques. *A. Boutelier.* Rev. Sci. Pol. Apr.-June, 1929.

———. The British labor party to 1918. *Cortez Ewing.* Am. Federationist. May, 1929.

———. Le suffrage féminin et les élections en Angleterre. *Thomas Greenwood.* Rev. Mondiale. May 15, 1929.

———. Les élections anglaises. *L. Dumont-Wilden.* Rev. Bleue. June 15, 1929.

———. The British general election: I. Causes of the labor victory. *Wickham Steed.* II. Great Britain's second labor government. *Ralston Hayden.* III. The three-party system in British political history. *Lindsay Rogers.* Current Hist. July, 1929.

———. Ramsay MacDonald. *P. W. Wilson.* The British revolution. *Frank H. Simonds.* Rev. of Revs. July, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The election and its consequences. *J. H. Harley.* The answer of demos. *Sir John Marriott.* Fort. Rev. July, 1929.

———. Les élections anglaises. *Wickham Steed.* Rev. Paris. July 1, 1929.

———. La politica della Gran Bretagna. *Augur.* Nuova Antologia. July 16, 1929.

———. The general election. I. *Beauchamp.* II. *Arthur Ponsonby.* III. *Alfred Hopkinson.* Parliamentary prospects. *F. Kingsley Griffith.* Contemp. Rev. July, Aug., 1929.

———. Why I lost. *Defeated Candidate.* The socialist government. *Julius Pleb.* The free trade folly. *Sir Edmund Vestey.* English Rev. July, Aug., 1929.

———. A national policy. *L. Haden Guest.* Nine. Cent. Aug., 1929.

———. The English general election of 1929. *James K. Pollock, Jr.* Nat. Mun. Rev. Aug., 1929.

———. Two months of MacDonald: the labor government's first phase. *H. N. Brailsford.* Labor and the empire. *Editor.* New Repub. Aug. 14, 28, 1929.

———. Ramsay MacDonald again. *Sir Philip Gibbs.* World's Work. Sept., 1929.

**Greece.** La nouvelle constitution hellène et la situation juridique des fonctionnaires (*à suivre*). *Théodore G. Anghelopoulos.* Rev. Int. Sci. Admin. No. 3, 1929.

———. The completion of the Greek republic. *William Miller.* Contemp. Rev. July, 1929.

———. Autocratic democracy in Greece. *S. P. P. Cosmetatos.* English Rev. Aug., 1929.

**Hungary.** Grundgesetze in der ungarischen Verfassung. *Stephen Egyed.* Zeitschrift für Ostrecht. Jan., 1929.

**India.** India revisited. *Sudhindra Bose.* Nation. June 19, 1929.

———. The return of Mahatma Gandhi. *John Haynes Holmes.* Century. July, 1929.

———. The Indian states and the future. *H. Verney Lovett.* Edin. Rev. July, 1929.

———. The problem of British India and the Indian native states. *L. F. Rushbrook-Williams.* Current Hist. Aug., 1929.

——. India ribelle. *Gabriele Gabbrielli.* Nuova Antologia. Aug. 1, 1929.

**Ireland.** The liberator. *Hugh A. Law.* O'Connell and the Ireland in which he lived. *George O'Brien.* Dublin Rev. Apr., 1929.

———. Party government in the Irish free state. *Andrew E. Malone.* Pol. Sci. Quar. Sept., 1929.

**Italy.** Ricordi personali di politica interna. I. II. *Tommaso Tittoni.* Nuova Antologia. Apr. 1, 16, 1929.

———. Partiti e gruppi politici italiani alla vigilia della guerra. *Giocchino Volpe.* Nuovi Studi di Diritto, Economia e Politica. Mar.-June, 1929.

———. Le plébiscite italien. *L. Dumont-Wilden.* Rev. Bleue. May 18, 1929.

———. Italian king's relation to the fascist dictatorship. *Percy Winner.* Current Hist. July, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. La politique économique fasciste. *Pierre Fromont.* Rev. Pol. et Parl. July, 1929.

———. The new Italian constitution. *J. S. Barnes.* Edin. Rev. July, 1929.

———. How il duce works his plan. *Alfred Pearce Dennis.* World's Work. Aug., 1929.

———. Six years of fascist legislation. *Joseph P. Bartilucci.* Am. Bar Assoc. Jour. Aug., 1929.

**Japan.** Agrarian problems of modern Japan. II. *Dorothy J. Orchard.* Jour. Pol. Econ. June, 1929.

———: La religione nazionale del Giappone e la politica religiosa dello stato giapponese. *Raffaele Pettazzoni.* Nuova Antologia. June 1, 1929.

———. Warum so viele Arbeiterparteien in Japan? *Tokijiro Kaji.* Sozialistische Monatshefte. July, 1929.

———. The Japanese liberals take the helm. *J. S. Burgess.* Fall of the Tanaka cabinet. *Harold S. Quigley.* Current Hist. Aug., 1929.

**Jugoslavia.** Srbijanske Stranke posle 1903. [The political parties of Serbia after 1903.] *Marco.* Nova Europa. Dec., 1928.

———. Principaux traits caractéristiques de la constitution du royaume des Serbes, Croates et Slovènes (ou Yougoslavie) (*fin*). *J. Péritch.* Les règles fondamentales de la justice administrative yougoslave (*suite*). *Yvan Stefanovitch.* Rev. Gén. Droit, Légis. y Juris. Jan.-Mar., Apr.-June, 1929.

———. The royal dictatorship in Jugoslavia. *Hamilton Fish Armstrong.* For. Affairs. July, 1929.

**Latin America.** One-man rule in Latin America. *W. L. Schurz.* Current Hist. July, 1929.

———. Latin America: today and tomorrow. *Sir Charles Petrie.* Dublin Rev. July, 1929.

**Mexico.** The clergy return to Mexico. *Editor.* New Repub. July 3, 1929.

———. Financial reconstruction in Mexico. *Herbert Feis.* For. Affairs. July, 1929.

———. Jesuit peace in Mexico. *Adam Day.* N. Am. Rev. Sept., 1929.

———. Mexico at the threshold of a new future. *Ernest Gruening.* Current Hist. Sept., 1929.

**Peru.** Der Staatssozialismus im alten Peru. *J. C. Guerrero.* Nord und Süd. June, 1929.

**Poland.** Gesetze und Verfassung in Polen. *M. Starzewski.* Zeitschrift für Ostrecht. Jan., 1929.

———. Pilsudski et la politique polonaise. *Pierre Bernus.* Rev. Paris. June 15, 1929.

———. Poland and Pilsudski. *J. Szapiro.* Jour. Royal Inst. Int. Affairs. July, 1929.

**Roumania.** Ten years of greater Roumania. *Alexander Vaida-Voevod.* Slavonic Rev. Jan., 1929.

———. La nouvelle politique économique de la Roumanie. *C. Madgearu.* Rev. Mondiale. July 15, 1929.

**Russia.** A glimpse at Russia. *Alexander Kaun.* Univ. of Calif. Chronicle. Apr., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. L'activité des concessions étrangères en U. R. S. S. *N. Liubimov.* Rev. Pol. et Parl. July, 1929.

———. Impressions of soviet Russia. *E. J. Dillon.* Contemp. Rev. July, 1929.

———. Choses vues à Moscou. *Viator.* Rev. Deux Mondes. July 1, 1929.

———. El sistema electoral de Rusia soviética. *José de la Vega.* Rev. Argentina de Ciencias Pol. July 12, 1928.

———. L'état actuel de l'armée rouge. *André Pierre.* Rev. Mondiale. July 15, 1929.

———. Daughters of the Russian revolution. *William H. Chamberlin.* Yale Rev. Summer, 1929.

———. Scenes from soviet Russia. *Norah Rowan-Hamilton.* Fort. Rev. Aug., 1929.

———. Social insurance in soviet Russia. *A. Abramson.* Jour. Pol. Econ. Aug., 1929.

———. Ricordi della rivoluzione russa. I. *Nicola de Baumgarten.* Nuova Antologia. Aug. 1, 1929.

———. A business man's view of Russia. *Charles M. Muchnic.* Harper's. Sept., 1929.

———. Soviet Russia. I. The struggle for the Russian soul. *William Henry Chamberlin.* Atlan. M. Sept., 1929.

**South Africa.** The election campaign in South Africa. *Cyril Campbell.* For. Affairs. July, 1929.

———. The South African general election. *P. A. Molteno.* Contemp. Rev. Aug., 1929.

**Spain.** La dictature espagnole. *P. Dehillotte.* Rev. Sci. Pol. Apr.-June, 1929.

———. El poder judicial. *Adolfo García.* Rev. Gen. Legis. y Juris. May, 1929.

———. Modern Spain. I. The wreck of an empire. II. How strong is the dictatorship? III. Censorship. IV. Official corruption. *Carleton Beals.* Nation. June 26, July 3, 10, 17, 1929.

———. Alfonso and Rivera in joint dictatorship. *Carleton Beals.* Current Hist. July, 1929.

———. La situation en Espagne. *Maurice van Vollenhoven.* Nouvelle Rev. July 1, 1929.

———. Spain under the dictatorship. *Agnes S. Waddell.* For. Pol. Assoc. Inf. Service. Sept. 4, 1929.

**Sweden.** Ledningen av krigsförvaltningstjänsten. *John Åstrand.* Hur Sverige regeras. *Junius.* Svensk Tidskrift. No. 1, 1929.

**Switzerland.** Das neue Statut der schweizerischen Bundesbeamten. *P. Marx.* Bull. l'Inst. Interméd. Int. July, 1929.

**Turkey.** The Turkish republic. *Agaoglu Ahmet.* Century. Aug., 1929.

## INTERNATIONAL RELATIONS

### *Books*

*Adair, Edward Robert.* The exterritoriality of ambassadors in the 16th and 17th centuries. Toronto: Longmans.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Bach, August.* Poincaré und der Kriegsausbruch 1914. Pp. 112. Stuttgart: Deutsche Verlags-Anstalt.

*Baker, P. J. N.* The present juridical status of the British dominions in international law. Pp. 433. N. Y.: Longmans.

*Balbareu, C.* Le pacte de Paris. Paris: Gamber.

*Barnes, Harry Elmer.* L'Angleterre et la guerre mondiale. Pp. 192. Paris: Delpeuch.

*Bellegarde, Dantès.* Pour une Haïti heureuse. 2 vols. Pp. 747. Port-au-Prince: Chéraquit.

*Blaisdell, Donald C.* European financial control in the Ottoman empire. N. Y.: Columbia Univ. Press.

*Boghitschewitsch, M.* Die auswärtige Politik Serbiens 1903 bis 1914. Bd. I: Geheimakten aus serbischen Archiven. Pp. viii+451. Berlin: Brückenverlag.

*Brocard, Lucien.* Principes d'économie nationale et internationale. T. II. Pp. 697. Paris: Sirey.

*Buell, Raymond Leslie.* International relations. (Rev. ed.) N. Y.: Holt.

*Carr, L. F.* America challenged: a preface to a point of view. Pp. 322. London: Macmillan.

*Clark, William Bell.* When the U-boats came to America. Boston: Little, Brown.

*Compeyrot, Jean.* Ce qu'il faut connaître de la finance internationale. Paris: Boivin.

*Constantinoff, Jean.* La codification du droit international et l'unification législative. Pp. 240. Paris: Chauny et Quinsac.

*Cristu, J.* L'union douanière européenne. Pp. 288. Paris: Chauny et Quinsac.

*Crowther, Samuel.* The romance and rise of the American tropics. Pp. 407. N. Y.: Doubleday, Doran.

*Dertilis, Panagiotis B.* La reconstruction financière de la Grèce et la société des nations. Pp. 240. Paris: Rousseau.

*Devoghel, E.* La question romaine sous Pié XI et Mussolini. Pp. 340. Paris: Bloud et Gay.

*Dewall, Wolf v.* Der Kampf um den Frieden. Pp. 244. Frankfurt: Frankfurter Societäts-Druckerei.

Documents diplomatiques français relatifs aux origines de la guerre de 1914 (1871–1914). 3e série. (1911–1914). T. I. (4 novembre—7 février 1912). Pp. xxxii+659. Paris: Costes.

*Donald, Sir Robert.* The Polish corridor and the consequences. Pp. 301. London: Butterworth.

*Dugdale, T. S.*, ed. The German diplomatic documents, 1870–1914. 4 vols. N. Y.: Harper's.

*Edwards, W. H.* Diplomacy in the making. N. Y.: Dodd, Mead.

*Feinberg, Nathan.* La question des minorités à la conférence de la paix de 1919–1920 et l'action juive en faveur de la protection internationale des minorités. Pp. 167. Paris: Rousseau.

*Frankenstein, Ernst.* Internationales Privatrecht (Grenzrecht). Vol. II. Pp. xxxix+576. Berlin: Walther Rothschild.

*Frei, Paul Henri.* De la situation juridique des représentants des membres de la société des nations et de ses agents. Pp. 118. Paris: Sirey.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Giannini, Amedeo.* I concordati postbellici. Pp. 302. Milano: Soc. ed. "Vita e Pensiero."

*Gilbert, Rodney.* The unequal treaties: China and the foreigner. Pp. xi+248. London: Murray.

*Gooch, G. P.*, and *Temperley, Harold*, eds. British documents on the origins of the war, 1898–1914. Vol. IV. The Anglo-Russian rapprochement, 1903–1907. London: H. M. Stationery Office.

*Gortázar, Joaquín Rodriquez de.* Los mandatos internacionales en la politica colonial. Pp. 305. Valencia: Rens.

*Gottschalk, Hermann.* Deutschland neutral. Pp. 150. Leipzig: Fleischer.

*Hasas, Émile.* La révision du traité de Trianon et les difficultés suscitées par la Hongrie en ce qui concerne son application. Pp. 182. Paris: Picart.

*Healy, John.* Pope or Mussolini. N. Y.: Macauley Co.

*Hntones, E.* La compétence de l'organisation internationale du travail. T. I. Compétence de fond. Paris: Rousseau.

*Hothorn, Carl.* Die völkerrechtliche Sonderstellung der Gesandten. Pp. 106. Breslau: I. U. Kern's Verlag.

*Italicus.* Italiens Dreibundspolitik 1870 bis 1896. München: Franz A. Pfeiffer.

*Janssen, H.* Das amerikanische Freigabe-Gesetz. Pp. xiv+304. Mannheim: J. Bensheimer Verlag.

*Junk, August.* Die Mächte auf dem ersten Haager Friedenskonferenz. Pp. x+104. Borna-Leipzig: Robert Noske.

*Kennedy, M. D.* Some aspects of Japan and her defense forces. Pp. 248. London: Kegan Paul.

*King, Clyde L.*, ed. Present day causes of international friction and their elimination. Pp. iv+167. Ann. Am. Acad. July, 1929.

*Kollbach, Paul.* Deutsche Handelsflotte und Versailler Vertrag. Pp. 176. Berlin: Dümmler.

*Le Boucher, José.* D'Angora à Vilna. Pp. 256. Paris: Édit. Prométhée.

*McNair, Arnold D.*, and *Lauterpacht, H.*, eds. Annual digest of public international law cases. Pp. xlv+497. London: Longmans.

*Machray, Robert.* The little entente. Pp. 394. London: Allen & Unwin.

*Marchal, Jean.* Union douanière et organisation européenne. Pp. 231. Paris: Sirey.

*Massart, Eugenio.* Le controversie internazionali dinanzi al consiglio della società delle nazioni. Pp. 190. Pisa: Nistri-Lischi.

*Matsushita, M.* Japan in the league of nations. N. Y.: Columbia Univ. Press.

*Molisch, Paul.* Vom Kampf der Tschechen um ihren Staat. Pp. vii+164. Wien: Wilhelm Braumüller.

*Monfosca, E. Aci.* Le minoranze nazionali. 2 vols. Rome: Vallecchi.

*Myers, Denys P.* Origin and conclusion of the Paris pact. Pp. 196. World Peace Foundation Pamphlets. Vol. XII, no. 2 (1929).

*National Industrial Conference Board.* The international financial position of the United States. N. Y.: Nat. Ind. Conf. Board.

*Nicholas of Greece, Prince.* Political memoirs, 1914–1917. London: Hutchinson.

*Nonu, J. M.* Essai critique sur la thèse du président Hoover concernant les dettes interalliées. Pp. 310. Paris: Blanchard.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Parlett, Sir Harold.* A brief account of diplomatic events in Manchuria. London: Milford.

*Parsons, Wilfrid.* The pope and Italy. N. Y.: America Press.

*Pernot, Maurice.* Balkans nouveaux. Pp. 250. Paris: Hachette.

*Petit, Lucien.* Histoire des finances extérieures de la France pendant la guerre (1914–1919). Paris: Payot.

*Philipse, A. H.* Les fonctions consultatives de la cour permanente de justice internationale. Paris: Payot.

*Popoff, Georges.* L'invasion muscovite. Cinq mois de domination bolchevique dans une ville balte. Pp. 248. Paris: Plon.

*Potter, Pitman B.* This world of nations: foundations, institutions, practices. N. Y.: Macmillan.

*Pribram, Karl.* Die Problem der internationalen Sozialpolitik. Leipzig: Verlag C. L. Hirschfeld.

*Rechtenwald, Friederike.* Kriegsziele und öffentliche Meinung Englands 1914–1916. Pp. 147. Stuttgart: Kohlhammer.

*Respondek, Erwine.* Wirtschaftliche Zusammenarbeit zwischen Deutschland und Frankreich. Pp. 222. Berlin: Heymann.

*Rogues, L.* La securité française. Paris: Occitania.

*Sabelli, L. Dei.* Nazionale minoranze etniche. 2 vols. Bologna: Zanichelli.

*Salvador, Georges Cohen.* Les prisonniers de guerre (1914–1919). Pp. 320. Paris: Payot.

*Smith, Fred B.* Must we have war? N. Y.: Harper's.

Soviet union and peace: the most important of the documents issued by the government of the U. S. S. R. concerning peace and disarmament from 1917 to 1929. Pp. 280. London: Martin Lawrence.

*Steier, Lajos.* Ungarns Vergewaltigung. Pp. xxxii+1007. Wien: Amalthea Verlag.

*Stephens, John S.* Danger zones of Europe: a study of national minorities. London: Hogarth Press.

*Strupp, Karl.* Die Schiedsgerichts und Vergleichsverträge des deutschen Reiches. Pp. 253. Berlin: Stilke.

*Sveistrup, Hans.* Die Schuldenlast des Weltkrieges. Pp. xi+277. Berlin: Struppe & Winckler.

*Trampler, Kurt.* Staaten und nationale Gemeinschaften. Pp. 141. Munich: Oldenbourg.

*Trelles, Camilo Barcia.* Francisco de Vitoria, fundador del derecho internacional moderno. Pp. 229. Madrid: Reus.

*Vinacke, Harold M.* A history of the far east in modern times. Pp. 479. N. Y.: Knopf.

*Williamson, Benedict.* The treaty of the lateran. Pp. 102. London: Burns, Oates & Washbourne.

*Articles*

**Aërial Bombardment.** Legitimate targets in aërial bombardment. *Paul Whitcomb Williams.* Am. Jour. Int. Law. July, 1929.

**Alliances.** Die Krise der Allianzen. *Otto Forst de Battaglia.* Europäische Gespräche. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**American Foreign Policy.** America at the crossroads. *Francis Bowes Sayre.* Atlan. M. July, 1929.

———. America and Europe. *Aldous Huxley.* Century. July, 1929.

———. England, Europe, and America. *Orlo Williams.* Edin. Rev. July, 1929.

———. President Hoover and Europe. *S. K. Ratcliffe.* Contemp. Rev. Aug., 1929.

**Anglo-American Relations.** Anglo-American relations. *"Augur."* Anglo-American relations: a reply. *"Caribbean."* Fort. Rev. July, Aug., 1929.

**Anschluss.** L'Anschluss. *Roberto Cantalupo.* Nuova Antologia. Jan. 1, 1929.

**Arbitration.** The new arbitration treaties of the United States. *James W. Garner.* Am. Jour. Int. Law. July, 1929.

**Armed Merchantmen.** Armed merchantmen a factor in naval warfare. *A. B. Seamans.* Current Hist. July, 1929.

**Austria.** Richtungsmöglichkeiten österreichischer Aussenpolitik. *Hans Eibl.* Nord und Süd. June, 1929.

**Aviation.** The international air navigation conventions and the commercial air navigation treaties. *Fred D. Fagg, Jr.* Bibliography of the law of aviation. *Rudolf Hirschberg.* South. Calif. Law Rev. June, 1929.

———. The influence of aviation on international affairs. *P. R. C. Groves.* Jour. Royal Inst. Int. Affairs. July, 1929.

**Balkans.** Pour la paix dans les Balkans. *Raoul Estonnie.* Rev. Mondiale. June 1, 1929.

———. The political situation in southeastern Europe. I. Hungary and Jugoslavia. *C. Douglas Booth.* Jour. Royal Inst. Int. Affairs. July, 1929.

**Blockade.** An American substitute for British blockades. *Charles Cheney Hyde.* For. Affairs. July, 1929.

**Bolivia-Paraguay Dispute.** The Chaco dispute between Bolivia and Paraguay. *William L. Schurz.* For. Affairs. July, 1929.

———. Die Vorgeschichte des Konfliktes zwischen Bolivien und Paraguay. *Christian Grotewold.* Europäische Gespräche. Aug., 1929.

**Canadian Border.** Arsenals *versus* courts. *Editor.* New Repub. July 17, 1929.

**Caribbean.** Our Haitian problem. *A. C. Millspaugh.* For. Affairs. July, 1929.

———. Mr. Dawes in Santo Domingo. *Roy Veatch.* Life and property in the Caribbean. I. Protection of life. II. Protection of property. *Jonathan Wickwire.* Nation. July 31, Sept. 4, 25, 1929.

**China.** What next in China? I. Relations with the great powers. *Nathaniel Peffer.* New Repub. July 17, 1929.

———. Bethlehem, Britain, and the Chinese navy. *K. K. Kawakami.* Nation. Aug. 7, 1929.

**Codification.** Der augenblickliche Stand der Kodifikation des Völkerrechts in Europa und Amerika. *Hans Wehberg.* Zeitschrift für Völkerrecht. XV. Band. Heft 1 (1929).

———. Die Kodifizierung des internationalen Rechtes. *R. V. Caballero de Bedoya.* Nord und Süd. June, 1929.

**Danzig.** Das Gesandtschafts- und Konsulatsrecht der Freien Stadt Danzig. *Dr. Lewinsky.* Zeitschrift für Völkerrecht. XV. Band. Heft 1 (1929).

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Dardanelles.** Russia, the straits, and Constantinople, 1914–15. *Robert J. Kerner.* Jour. Mod. Hist. Sept., 1929.

**Declaration of War.** La procédure constitutionnelle de déclaration de guerre. *B. Mirkine-Guetzevitch.* Rev. Pol. et Parl. July, 1929.

**Diplomacy.** Souvenirs diplomatiques: Ma mission à Constantinople (1896–1900). *T. G. Djuvara.* Rev. Sci. Pol. Apr.-June, 1929.

———. Grotius on the training of an ambassador. *Jesse S. Reeves.* Am. Jour. Int. Law. July, 1929.

———. Quatre siècles de diplomatie française. *De Lanzac de Laborie.* Correspondant. July 10, 1929.

———. Colonel House. *Alfred Vagts.* Europäische Gespräche. Aug., 1929.

**Disarmament.** Gli Stati Uniti d'America nella politica mondiale: I. Il trattato di Washington per la limitazione degli armamenti navali e le sue conseguenze. *Ulisse Guadagnini.* Nuova Antologia. Feb. 16, 1929.

———. La nouvelle organisation militaire. *Général Brindel.* Rev. Deux Mondes. June 1, 1929.

———. L'Allemagne désarmée. *Victor de Marcé.* Rev. Pol. et Parl. July, 1929.

———. Der Stand der Abrüstungsfrage. *Graf Johann Heinrich von Bernstorff.* Europäische Gespräche. Aug., 1929.

———. Disarmament. *Linley V. Gordon.* Rev. of Revs. Aug., 1929.

———. The new epoch. *J. D. Whelpley.* Fort. Rev. Aug., 1929.

———. Disarmament alone no guarantee of world peace. *James T. Shotwell.* Current Hist. Sept., 1929.

**Domestic Questions.** International jurisdiction and domestic questions. *Norman L. Hill.* Southwestern Pol. and Soc. Sci. Quar. June, 1929.

**Egypt.** Deutschland und Ägypten. *Erich Alexander.* Nord und Süd. June, 1929.

———. Progress in Egypt. *E. W. Polson Newman.* Contemp. Rev. Aug., 1929.

———. The liberation of Egypt. *H. N. Brailsford.* New Repub. Sept. 18, 1929.

**Eupen and Malmedy.** Die belgische Gesetzgebung über Eupen und Malmedy. *Manfred Langhans-Ratzeburg.* Zeitschrift für Völkerrecht. XV. Band. Heft 1 (1929).

**Europe.** Tio år efteråt. *Verner Söderberg.* Svensk Tidskrift. No. 1, 1929.

———. Since Versailles. *Raymond Poincaré.* For. Affairs. July, 1929.

———. Struggling for peace. Those "United States of Europe." *Editor.* New Repub. July 10, Sept. 11, 1929.

———. The fifteenth anniversary. *Frank H. Simonds.* Rev. of Revs. Aug., 1929.

**Extradition.** Le droit extraditionnel et les conventions d'extradition de la Grèce. *D. E. Castorkis.* Rev. Gén. Droit Int. Pub. May-June, 1929.

**Extraterritoriality.** Zur Abschaffung der Kapitulationen in Persien. *Fritz Hesse.* Europäische Gespräche. July, 1929.

———. Immunity of a foreign mission's premises from local jurisdiction. *Francis Déak.* Am. Jour. Int. Law. July, 1929.

**Foreign Investments.** A new study of British foreign investments. *Sir Robert Kindersley.* Econ. Jour. Mar., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**France and Germany.** France and Germany. *"Augur."* Fort. Rev. Aug., 1929.

**Freedom of the Seas.** La libertà del mare. *Enrico Catellani.* Nuova Antologia. Apr. 1, 1929.

———. La liberté des mers. *Pierre Bernus.* L'Esprit Int. July, 1929.

———. Freedom of the seas. *T. P. Magruder.* Sat. Eve. Post. Sept. 7, 1929.

**German Policy.** Auswärtige Politik und Hochfinanz. *Fr. Thimme.* Europäische Gespräche. June, 1929.

**International Labor Organization.** Histoire de la convention de Washington sur la durée du travail. *Ernest Maheim.* Rev. Écon. Int. Dec., 1928.

**International Law.** Der Völkerbund als Privatrechtssubjekt. *Hans Liermann.* Zeitschrift für Völkerrecht. XV. Band. Heft 1 (1929).

———. Le droit international. L'ère juridique sans violence et l'avènement du paciférat positif. *Baron Descamps.* Rev. Droit Int. et Légis. Comp. No. 2, 1929.

———. Problem des internationalen Verkehrsrechts. *Heinrich Dove.* Preuss. Jahrbücher. June, 1929.

———. Les réformes agraires et le droit international. *A. de Lapradelle.* L'Esprit Int. July, 1929.

**Islam.** La situation actuelle de l'Islam. *Louis Massignon.* Rev. Paris. July 15, 1929.

**Laws of War.** Humanisierung des Krieges. *Franz Carl Endres.* Nord und Süd. May, 1929.

**League of Nations.** Oriente, occidente, e società delle nazioni. *Gabriele Gabbrielli.* Nuova Antologia. Apr. 16, 1929.

———. Europa und der Völkerbund. *William E. Rappard.* Europäische Gespräche. May, 1929.

———. International social adjustments. *Robert C. Dexter.* Social Forces. June, 1929.

———. L'idée de société des nations en Allemagne pendant la guerre. *Ernst Jäckh.* L'Esprit Int. July, 1929.

———. The sea powers and the league. *James T. Shotwell.* New Repub. Sept. 11, 1929.

**Manchuria.** The crisis in Manchuria. Time for the league to act. *Editor.* New Repub. July 31, Sept. 4, 1929.

———. Russia and China in Manchuria. *Vera A. Micheles.* For. Pol. Assoc. Inf. Service. Aug. 7, 1929.

———. The Chinese and the Chinese eastern. *Ernest K. Moy.* The U. S. S. R. and the Chinese eastern. *Harold Kellock.* Nation. Aug. 7, 1929.

———. The threat of war between the soviet union and China: I. Effect of the Kellogg pact on the dispute. *James Thayer Gerould.* II. Struggle to control Chinese eastern railway. *Harold Scott Quigley.* Japan seeks economic empire in Manchuria. *K. K. Kawakami.* Current Hist. Sept., 1929.

**Mandates.** The parliamentary visit to Tanganyika, 1928. *A. A. Somerville* and *Others.* Jour. African Soc. Jan., 1929.

———. New Guinea under Australian mandate rule. *Luther H. Evans.* Southwestern Pol. and Soc. Sci. Quar. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. The trans-Jordan mandate. *"Durbin."* English Rev. July, 1929.

———. A problem of Arabian statesmanship. *Arnold J. Toynbee.* Jour. Royal Inst. Int. Affairs. July, 1929.

———. Palästina als siebentes Dominion. *Kurt Grunwald.* Europäische Gespräche. July, 1929.

———. Progress on the gold coast. *Fedden Tindall.* The Arab mandates. *Robert Gordon Canning.* Contemp. Rev. July, Aug., 1929.

———. Native policies in white Africa. *J. De G. Delmage.* Nine. Cent. Aug., 1929.

———. The Palestine war. *Editor.* New Repub. Sept. 11, 1929.

**Minorities.** Ungarische und deutsche Minderheiten. *Baron Sigismund Perényi.* Deutsche Rundschau. June, 1929.

———. Die Minderheitenfrage. *Karl Alexander v. Müller* u. *Andere.* Süddeutsche Monatshefte. July, 1929.

———. Procedure in minorities complaints. *Joseph S. Roucek.* Am. Jour. Int. Law. July, 1929.

———. La procédure de l'appel des minorités à la société des nations. *Joseph Barthélemy.* L'Esprit Int. July, 1929.

———. Poland and her national minorities. *John S. Stephens.* Contemp. Rev. July, 1929.

———. La question des minorités. *L. Dumont-Wilden.* Rev. Bleue. July 6, 1929.

**Monroe Doctrine.** Gli Stati Uniti d'America nella politica mondiale: III. La dottrina di Monroe. *Antonio Borgoni.* Nuova Antologia. Feb. 16, 1929.

**Nationality.** Le décret-loi de 1929 sur la nationalité égyptienne. *F. Braun.* Jour. Droit Int. May-June, 1929.

———. American or foreigner? *J. Mark Jacobson.* Nation. Aug. 21, 1929.

**Near East.** The near east goes west. *George Young.* Yale Rev. Summer, 1929.

———. Post-war treaties affecting the near east: an index. *Elizabeth P. MacCallum.* For. Pol. Assoc. Inf. Service. Sept. 18, 1929.

**Neutrality.** L'oeuvre des neutres pendant la guerre. Une mission des "ministres protecteurs" en Belgique et dans le nord de la France. *Maurice van Vollenhoven.* Nouvelle Rev. June 15, 1929.

———. Some British opinions as to neutral rights, 1861 to 1865. *James P. Baxter, 3rd.* Am. Jour. Int. Law. July, 1929.

**Oil Policy.** La politique du petrôle. *François Lescazes.* Nouvelle Rev. May 15, June 1, 15, July 1, 15, 1929.

**Outlawry of War.** Gli Stati Uniti d'America nella politica mondiale: II. Il patto Kellogg. *Carlo Schanzer.* Nuova Antologia. Feb. 16, 1929.

———. Le pacte Kellogg. *Julien Makowski.* Bull. l'Inst. Interméd. Int. July, 1929.

———. The suppression of war. *T. Baty.* Quar. Rev. July, 1929.

**Pan American Relations.** Pan-American peace. *Charles Evans Hughes.* Yale Rev. Summer, 1929.

**Peace Problems.** Wegweiser des Weltfriedens. *H. G. Wells.* Nord und Süd. May, 1929.

———. Die Dynamik des Friedens. *N. Titulescu.* Nord und Süd. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Le règlement de la paix. *L. Dumont-Wilden.* Rev. Bleue. June 1, 1929.

**Prisoners of War.** Zur bevorstehenden Novellierung des Kriegsgefangenrechtes. *Heinrich Frehr. von Raabl-Werner.* Preuss. Jahrbücher. July, 1929.

**Prohibition.** The "I'm Alone" case and the doctrine of "hot pursuit." *Keener C. Frazer.* N. C. Law Rev. June, 1929.

**Recognition.** The position of unrecognized governments before the courts of foreign states. *N. D. Houghton.* Ind. Law Jour. May, 1929.

**Refugee Problem.** Rescuing millions of war victims from disease and starvation. *Fridtjof Nansen.* Current Hist. July, 1929.

**Reparations.** Recent publications on allied debts and reparations. *Paul Haensel.* Econ. Jour. Mar., 1929.

———. The German transfer problem. *J. M. Keynes.* The reparation problem: I. Transfer difficulties, real and imagined. *B. Ohlin.* II. A rejoinder. *J. M. Keynes.* Econ. Jour. Mar., June, 1929.

———. The reparations settlement. The British balk. *Editor.* New Repub. June 19, Aug. 21, 1929.

———. L'oeuvre constructive des experts.—Vers le règlement complet et définitif des réparations. *Jean de Pouydraguin.* Correspondant. June 25, 1929.

———. German reparations. *George Paish.* Contemp. Rev. July, 1929.

———. British labor and reparations, 1918–1925. *Edwin C. Ewing.* Am. Federationist. July, 1929.

———. La revision du plan Dawes. *Jacques Seydoux.* L'Esprit Int. July, 1929.

———. La banque des règlements internationaux. *J. Compeyrot.* Rev. Pol. et Parl. July, 1929.

———. Our side of the transfer dilemma. *George E. Putnam.* Atlan. M. July, 1929.

———. Germany obtains large reductions in new reparations agreement. *James Thayer Gerould.* Report of the experts' committee on reparations (full text). Differences in Dawes and Young reparation plans. *Harold G. Moulton.* Current Hist. July, Aug., 1929.

———. Frankreich und Deutschland im Haag. *Ludwig Quessel.* Sozialistische Monatshefte. Aug., 1929.

———. The bank for international settlements. *Jeremiah Smith, Jr.* Quar. Jour. Econ. Aug., 1929.

———. The Young plan settlement. *Lewis Webster Jones.* For. Pol. Assoc. Inf. Service. Aug. 21, 1929.

———. Reparations: the Young and Dawes plans. *William MacDonald.* Philip Snowden at the Hague. *S. K. Ratcliffe.* Nation. Aug. 21, Sept. 11, 1929.

———. War indemnities and business conditions. I. *Georg Bielschowsky.* Pol. Sci. Quar. Sept., 1929.

**Rhine.** Zur völkerrechtlichen Sonderstellung der Rheinlande nach der Räumung. *Ludwig Kaas.* Europäische Gespräche. May, 1929.

———. Le général Mangin et la république rhénane. *Gustave Babin.* Correspondant. June 10, 1929.

———. L'évacuation anticipée de la Rhénanie. *Général Mordacq.* Rev. Deux Mondes. June 15, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Russia.** Russia unrecognized. *John Hanna.* Recognize Russia! *Editor* New Repub. June 19, Aug. 14, 1929.

———. Die georgische Frage. *Niko Imnaischwili.* Sozialistische Monatshefte. July, 1929.

———. British industrial mission to Russia. *Ernest Remnant.* Britain and Russia, 1907 and 1929. *Charles Tower.* English Rev. July, 1929.

———. Soviet Russia's international status. *Edgar S. Furniss.* Current Hist. July, 1929.

———. The soviet security system. *Malbone W. Graham, Jr.* Int. Conciliation. Sept., 1929.

**Saar.** The league of nations and the Saar. *Harold V. Villard.* S. Atlan. Quar. July, 1929.

**Scientific Property.** The efforts for international protection of scientific property. *Stephen B. Ladas.* Am. Jour. Int. Law. July, 1929.

**Slavery.** La question du travail forcé. Vers un accord international. *Jean Goudal.* Rev. Gén. Droit Int. Pub. May-June, 1929.

**State Responsibility.** Du déni de justice considéré comme condition de la responsabilité internationale des états en matière criminelle. *Jacques Dumas.* Rev. Droit Int. et Légis. Comp. No. 2, 1929.

**Tacna-Arica.** Tacna-Arica. *Max Zumpertz.* Deutsche Rundschau. July, 1929.

———. The Tacna-Arica settlement. *Lester H. Woolsey.* Am. Jour. Int. Law. July, 1929.

———. Settlement of the Tacna-Arica dispute. *Henry Grattan Doyle.* Current Hist. July, 1929.

**Territorial Waters.** Territorial waters and international legislation. *William E. Masterson.* Ore. Law Rev. June, 1929.

**Treaties.** Reservations to multilateral treaties. *Marjorie Owen.* Yale Law Jour. June, 1929.

———. The effect of war on treaties. *William C. Dennis.* Am. Jour. Int. Law. July, 1929.

**Treaty of Versailles.** Revision of the Versailles treaty. *Mildred S. Wertheimer.* For. Pol. Assoc. Inf. Service. June 26, 1929.

———. Der Friede von Versailles. *Hans Delbrück.* Preuss. Jahrbücher. July, 1929.

———. Ten years later. *Paul Block.* Liv. Age. Aug., 1929.

**Vatican.** La pace religiosa. *Tommasa Tittoni.* Il cattolicismo dello stato italiano secondo il concordato. *Umberto Fracassini.* Nuova Antologia. Feb. 16, June 1, 1929.

———. Le traité du latran et le nouvel état pontifical. *Yves de la Brière.* A propos de nouveaux accords du Saint-Siège. *Robert Ruzé.* Rev. Droit Int. et Légis. Comp. No. 2, 1929.

———. Il concordato. *Ugo Spirito.* La conciliazione. *Arnaldo Volpicelli.* Nuovi Studi di Diritto, Economia e Politica. Mar.-June, 1929.

———. La condizione giuridica internazionale della Santa Sede in sequito agli accordi del laterano. *D. Anzilotti.* La Santa Sede e il diritto internazionale dopo gli accordi lateranensi dell' 11 febbraio 1929. *G. Diena.* Carattere dello stato della città del vaticano. *A. C. Jemolo.* Il trattato fra l'Italia e la Santa Sede. *G. Morelli.* Riv. Diritto Int. Apr.-June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. La solution de la question romaine. *Raoul de Nolva.* Rev. Mondiale. June 15, 1929.

———. L'évolution de la question romaine de Cavour à Mussolini. *Georges Bourgin.* Rev. Pol. et Parl. June, 1929.

———. Lateran treaty and Italian concordat. *Bishop Shahan.* Text of the lateran treaty. Catholic World. July, 1929.

———. The lateran treaties: a step in vatican policy. *André Géraud.* For. Affairs. July, 1929.

———. De la brèche de Porta Pia à l'accord du latran. *Luigi Salvatorelli.* L'Esprit Int. July, 1929.

———. The settlement of the Roman question. *Pierre Crabitès.* Va. Quar. Rev. July, 1929.

———. The treaty of the lateran. *Humphrey Johnson.* Dublin Rev. July, 1929.

———. Mussolinis "römischer Gedanke." *Wolfg. L. Ludwig Stein.* Preuss. Jahrbücher. July, 1929.

———. The lateran accord. *Vera A. Micheles.* For. Pol. Assoc. Inf. Service. July 10, 1929.

———. Mussolini and the pope. *Hiram Motherwell.* New Repub. July 24, 1929.

———. The Italian-vatican agreement. I. *William F. Montavon.* II. *Charles C. Marshall.* Italy and the vatican ratify settlement of the Roman question. *Eloise Ellery.* The pope reproves Mussolini. I. *W. W. Rockwell.* The question of papal sovereignty. I. *E. S. Drescher.* II. *Charles C. Marshall.* Constitution of the vatican city comes into force. *Eloise Ellery.* Italy and the vatican in conflict over lateran treaties. *Arnaldo S. Cortesi.* Current Hist. July, Aug., Sept., 1929.

———. The pact of the lateran. *Algernon Cecil.* Contemp. Rev. Aug., 1929.

**World Court.** Les affaires traitées par la cour permanente de justice internationale pendant la période 1926–1927 (*à suivre*). *Michel de la Grotte.* Rev. Droit Int. et Légis. Comp. No. 2, 1929.

———. Gli Stati Uniti e la corte di giustizia internazionale. *C. Baldoni.* Riv. Diritto Int. Apr.-June, 1929.

———. Mr. Root, the senate and the world court. *Philip C. Jessup.* Proposed changes in the statute of the world court. *Editor.* For. Affairs. July, 1929.

**World War.** Il quinto volume dei documenti diplomatici inglesi. *Veracissimus.* Nuova Antologia. Jan. 16, 1929.

———. Die Schuldfrage in Frankreich während des Krieges. *Artur Rosenberg.* Preuss. Jahrbücher. June, 1929.

———. L'offensive russe de 1916. II. *Gal Broussilov.* Deux années à Berlin, (1912–1914). VII. L'hostilité contre la France. VIII. À la vielle de la guerre. *Bon Beyens.* Rev. Deux Mondes. June 15, July 1, 15, 1929.

———. The 1908 prelude to the world war. *William L. Langer.* For. Affairs. July, 1929.

———. Serajevo fifteen years after. *Sidney B. Fay.* Liv. Age. July, 1929.

———. Amerika und die Kriegsschuldfrage. *Kurt Pieper.* Der Türmer. July, 1929.

———. Re-fighting the war on paper. *Charles Seymour.* Yale Rev. Summer, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

## JURISPRUDENCE

### *Books*

*Akzin.* La désuétude en droit constitutionnel. Paris: Giard.

*Ancel, M.* La "common law" d'Angleterre. Paris: Rousseau.

*Battaglini, Giulio.* Principi di diritto penale in rapporto alla nuova legislazione. Pp. xx+266. Milano: Istituto Edit. Scientifico.

*Bradway, John S.*, ed. Law and social welfare. Pp. xiii+220. Ann. Am. Acad. Sept., 1929 (Part I).

*Bradway, John S.* Law and social work: an introduction to the study of the legal-social field for social workers. Pp. xx+189. Chicago: Univ. of Chicago Press.

*Chénon, Emile.* Histoire générale du droit français public et privé des origines à 1815. T. II. 1er fasc. Pp. 570. Paris: Sirey.

*Hanna, Justice,* and *Pringle, A. Denis,* eds. The statute law of the Irish free state, 1922–1928. Pp. xxiv+101. Dublin: Alex Thom & Co.

*Harron, Marion J.* Current research in law for the academic year, 1928–1929. Pp. 225. Baltimore: Johns Hopkins Press.

*Hotchkiss, Henry G.* A treatise on aviation law. Pp. xviii+492. N. Y.: Baker, Voorhis & Co.

*Jellinek, W.* Verwaltungsrecht. (2e éd.) Pp. xviii+551. Berlin: Julius Springer.

*Lyon, Hastings,* and *Block, Herman.* The life of Edward Coke. Boston: Houghton Mifflin.

*Parry, Sir Edward.* The drama of the law. Pp. 317. London: Benn.

*Rappaport, S.* Le problème de l'unification internationale du droit pénal. Pp. 108. Paris: Sirey.

*Riasanovsky, V. A.* The modern civil law of China. Part I. Pp. 187. Harbin: Faculty of Law, Harbin Univ.

*Rivière, P.-Louis.* Traités, codes et lois du Maroc. Pp. 181. Paris: Sirey.

*Sylvester, Charles L.* Bender's federal forms. Pp. xxxvi+2093. Albany: Matthew Bender & Co.

*Tambaro, I.* Diritto costituzionale. (3e édition, entièrement refondue et cordonnée selon la législation fasciste.) Pp. 319. Naples: Lorenzo Alvano.

*Velasco, Recaredo F. de.* El acto administrativo. Exposición doctrinal y estudio del derecho español. Pp. 333. Madrid: Bibl. de la Revista de Derecho prviado.

*Welter, Henri.* Le contrôle juridictionnel de la moralité administrative. Étude de doctrine et de jurisprudence. Pp. 513. Paris: Sirey.

*Wigmore, John H.*, ed. The Illinois crime survey. Pp. xxii+1108. Chicago: Ill. Assoc. for Crim. Justice.

*Wyndham, Horace Cowley.* Criminology. Pp. 105. N. Y.: Cape & Smith.

### *Articles*

**Bar.** Admission to the bar in Indiana: a critical history and analysis. *Richard P. Tinkham.* Ind. Law Jour. Apr., 1929.

———. The lawyer's place in society. *W. D. McPherson.* Canadian Bar Rev. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Rising bar admission requirements and evening law students. *Alfred Z. Reed.* Types of the American lawyer, past and present. *James Grafton Rogers.* Am. Bar Assoc. Jour. July, Sept., 1929.

**Belgian Law.** Le problème du droit dans la science belge du droit civil (*suite*). *J. Bonnecase.* Rev. Gén. Droit, Légis. et Juris. Apr.-June, 1929.

**Capital Punishment.** Capital punishment. *J. E. Marshall.* Quar. Rev. July, 1929.

**Civil and Canon Law.** Economic forces in the evolution of civil and canon law. *Calvin B. Hoover.* Southwestern Pol. and Soc. Sci. Quar. June, 1929.

**Code Napoleon.** Napoleon Bonaparte and the French criminal code. *Pierre Crabitès.* Am. Bar Assoc. Jour. Aug., 1929.

**Conflict of Laws.** La sixième conférence de droit international privé (*suite*). *J. Kosters.* Rev. Droit Int. et Légis. Comp. No. 2, 1929.

**Constitutional Law.** A case book on constitutional law. *W. S. Holdsworth.* Law Quar. Rev. Apr., 1929.

**Crime.** Are the feebleminded criminals? *George L. Wallace.* Mental Hygiene. Jan., 1929.

———. The reversal of criminal cases in the supreme court of California. *C. G. Vernier* and *Philip Selig, Jr.* Crime and the press. *Joseph L. Holmes.* A determinate view of criminal responsibility. *Willard Waller.* Cycles of crime. *Harold A. Phelps.* Administration of criminal law in the far north of Canada. *William Renwick Riddell.* Jour. Crim. Law and Crim. May, Aug., 1929.

———. Criminal prosecution in England. *Pendleton Howard.* Columbia Law Rev. June, 1929.

———. California legislation in regard to crime for 1929. *A. M. Kidd.* Calif. Law Rev. July, 1929.

———. The criminal. I. The habits of the hardened offender. *Arthur R. L. Gardner.* Nine. Cent. Aug., 1929.

———. Making it easy for the criminal. *Albert Bushnell Hart.* Crime as a profession. *Raymond Moley.* Current Hist. Aug., Sept., 1929.

———. How shall we deal with crime? *Joseph M. Proskauer.* Harper's. Sept., 1929.

**Cross Examination.** Answer yes or no. *John Holley Clark, Jr.* N. Am. Rev. July, 1929.

**English Jurisprudence.** Recent tendencies in English jurisprudence. *A. L. Goodhart.* Canadian Bar Rev. May, 1929.

**Equality before Law.** Before the law all men are equal. I. II. III. *Reginald H. Smith.* Am. Federationist. May, June, July, 1929.

**Equity.** Extension and misuse of equity power. *Andrew Furuseth.* Am. Federationist. Jan., 1929.

———. The field of modern equity. *H. G. Hanbury.* Law Quar. Rev. Apr., 1929.

———. Chancery in Massachusetts. *E. H. Woodruff.* Boston Univ. Law Rev. June, 1929.

**Hammurabi.** The law code of Hammurabi. *Erwin J. Urch.* Am. Bar Assoc. Jour. July, 1929.

**Inns of Court.** The inns of court. *J. J. Fitzpatrick.* Boston Univ. Law Rev. June, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Jewish Law.** Moral rights and duties in Jewish law. *Rabbi Isaac Herzog.* Jurid. Rev. Mar., 1929.

**Judicial Caution.** Judicial caution and valour. *Sir Frederick Pollock.* Law Quar. Rev. July, 1929.

**Jury.** Le jury criminel. *A. Mornet.* Rev. Sci. Pol. Apr.-June, 1929.

**Justice.** Huxley's problem of justice. *A. Wyatt Tilby.* Nine. Cent. July, 1929.

**Law Enforcement.** Nullification and the legal process. *Robert C. Binckley.* Mass. Law Quar. May, 1929.

———. Hoover and law observance. *James Truslow Adams.* Forum. July, 1929.

———. Law—and law enforcement. *Victor S. Yarros.* Nation. July 17, 1929.

**Legal Education.** Supply and demand in the legal profession. *H. C. Horack.* Miss. Law Jour. Apr., 1929.

———. The teaching of trial practice. *Carl Wheaton.* Am. Bar Assoc. Jour. Aug., 1929.

**Legal Ethics.** Legal ethics. *Beverly C. Adams.* Miss. Law Jour. Apr., 1929.

**Legal Psychology.** Legal psychology. *Robert M. Hutchins* and *Donald Slesinger.* Psychol. Rev. Jan., 1929.

**Litigation.** The cost of litigation. *C. H. S. Fifoot.* Fort. Rev. July, 1929.

**Penal Code.** Principles of a rational penal code. *Sheldon Glueck.* Mental Hygiene. Jan., 1929.

———. El nuovo código penal. *Angel Pesini Pulido.* Rev. Gen. Legis. y Juris. July, 1929.

**Personality.** Legal personality—legislative or judicial prerogative? *Wiley B. Rutledge.* St. Louis Law Rev. July, 1929.

**Peruvian Law.** Das Gewohnheitsrecht der Indianer von Peru und seine Anpassung an das moderne Recht. *Victor J. Guevara.* Zeitschrift für vergleichende Rechtswissenschaft. Sept., 1928.

**Philosophy of Law.** À propos de quelques conceptions et méthodes fondamentales du droit. *Georges Cornil.* Rev. Univ. Bruxelles. Oct.-Nov., 1928.

———. Formulae ficticiae a normal means of creating new laws. *S. Riccobono.* Tijdschr. voor Rechtsgeschiedenis. Jan., 1929.

———. Rechtsgeschichte gegen Rechtsphilosophie? *Walther Schönfeld.* Archiv Rechts-u. Wirtschaftsphilosophie. July, 1929.

**Police.** Fiction is a police curse—what are the facts? *John Otey Walker.* Am. City. Aug., 1929.

**Preliminary Hearing.** The preliminary hearing. *Justin Miller.* Am. Bar Assoc. Jour. July, 1929.

**Prisons.** Japan's prison system. *John Lewis Gillin.* Social Forces. Dec., 1928.

———. Prison music: a new road to reform. *Homer Henley.* Atlan. M. July, 1929.

———. Prisoners and prisons. *Amos W. Butler.* Jour. Crim. Law and Crim. Aug., 1929.

**Procedure.** Observations sur l'étude de la procédure civile (*suite*). *J. Vizioz.* Rev. Gén. Droit, Légis. et Juris. Jan.-Mar., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Need of commission on judicial procedure. *T. C. Kimbrough.* Miss. Law Jour. Apr., 1929.

———. The regulation of legal procedure. *Edson R. Sunderland.* W. Va. Law Quar. June, 1929.

**Punishment.** The purpose of punishment. *Henry Weinhofen.* Tenn. Law Rev. Apr., 1929.

**Revised Statutes.** Revised statutes. *C. T. Carr.* Law Quar. Rev. Apr., 1929.

**Roman Law.** Der heutige Stand der römischen Rechtswissenschaft. *Egon Weiss.* Archiv für Rechts-u. Wirtschaftsphilosophie. Jan., 1929.

**Trial.** The practicing physician in court. *L. Howard Moss.* Am. Bar Assoc. Jour. Aug., 1929.

## LOCAL GOVERNMENT

### *Books*

*Corbusier, Le.* The city of tomorrow and its planning. (Translated from the French.) Pp. 302. London: Rodker.

*Crane, Robert T.* Loose-leaf digest of city manager charters. (New ed.) N. Y.: Nat. Mun. League.

*Eno, William Phelps.* Simplification of highway traffic. Pp. 205. Saugatuck (Conn.): Eno Foundation.

*Holway, Hope.* The story of water supply. N. Y.: Harper's.

*James, Harlean,* ed. American civic annual, 1929. Pp. 290. Washington: Am. Civic Assoc.

*Lauvard, H.,* et *Huet, M.* Nouveau guide pratique des maires. Paris: Garnier.

*Lewis, Lloyd,* and *Smith, Henry Justin.* Chicago, the history of its reputation. Pp. 520. N. Y.: Harcourt, Brace.

*Pike, John Milton.* Canadian municipal law. Toronto: Canada Law Book Co.

*Poete, Marcel.* Introduction à l'urbanisme. L'évolution des villes. Pp. 364. Paris: Boivin.

*Rea, Leonard Owens.* The financial history of Baltimore, 1900–1926. (Johns Hopkins Univ. Studies.) Pp. 139. Baltimore: Johns Hopkins Press.

*Salter, J. T.* The non-partisan ballot in certain Pennsylvania cities. Pp. 257. Philadelphia: Univ. of Pa. Press.

*Walker, Harvey.* Municipal ordinance making. Columbus: Ohio State Univ. Press.

*Weiss, Bernard.* Polizei und Politik. Berlin: Gersbach & Sohn.

*Zorbaugh, Harvey W.* The gold coast and the slum. Pp. 300. Chicago: Univ. of Chicago Press.

### *Articles*

**Accounting.** Coding, vouchering and centralized purchasing as related to a mechanical accounting system. *George C. Scott.* Am. City. Aug., 1929.

**Budget.** Strukturwandlung der Finanzwirtschaft der Gemeinden und Gemeindeverbände. *Friedrich Saake.* Zeitschrift für Kommunalwirtschaft. Jan. 10, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. Schenectady's long-term financial program. *Harold I. Baumes.* Nat. Mun. Rev. Aug., 1929.

**City Manager.** A "P. R."—city manager charter for Philadelphia? *George H. Hallett, Jr.* The Cleveland charter threatened again. *Doris Darmstadter.* The city manager campaign in Toledo. *H. T. Shenefield.* Am. Pol. Sci. Rev. Aug, 1929.

———. Cleveland's city manager survives. *Louis Browdy.* Nation. Sept. 4, 1929.

**City Planning.** The London county council and town planning. *H. Cox.* Ann. Collective Econ. July-Dec., 1928.

———. The extra-municipal administration of Radburn. *Charles S. Ascher.* Nat. Mun. Rev. July, 1929.

———. Osaka to be still greater in all respects. *Nakagawa Tatsuo.* Why ten towns are not measuring up to their city planning possibilities. *Gardner S. Rogers.* Planning a neighborhood unit. *Clarence Arthur Perry.* Am. City. Sept., 1929.

**Civic Reform.** La réforme communale. *P. de Monicault.* Rev. Pol. et Parl. June, 1929.

———. A new remedy for civitosis: a modest proposal for the reform of city government. *Graham Aldis.* Nat. Mun. Rev. Aug., 1929.

**County Government.** A county home rule constitutional amendment. *James D. Barnett.* Ore. Law Rev. June, 1929.

———. Needed for every county—concentrated authority, a strong executive, and trained personnel. *Paul W. Wager.* Am. City. Sept., 1929.

———. County management: a review of developing plans of county administration in Virginia and North Carolina. *Wylie Kilpatrick.* Pamphlet published by the author, Univ. of Va.

**Elections.** Les élections municipales. *Pierre-Étienne Flandin.* Rev. Paris. June 1, 1929.

**Electric Utilities.** The status of municipal electric power systems. *H. M. Olmsted.* Am. City. Sept., 1929.

**English Local Government.** The departmental organization of the work of local authorities. *F. Minshull* and *D. M. Muir.* Pub. Admin. July, 1929.

———. Recent changes in the local government of England and Wales. *I. G. Gibbon.* Am. Pol. Sci. Rev. Aug., 1929.

**Garages.** Public garages and filling stations: their proper location and legal control. *John P. Fox.* Am. City. Aug., 1929.

**Glasgow.** Glasgow the practical. *Harlean James.* Nat. Mun. Rev. July, 1929.

**Health Department.** Adequate health department quarters. *James A. Tobey* and *William W. Drummey.* Am. City. Sept., 1929.

**Housing.** Where city planning and housing meet. *Harold S. Buttenheim.* Nat. Mun. Rev. Aug., 1929.

———. Slums and the city plan. *Edith Elmer Wood.* Am. City. Aug., 1929.

**Illinois.** Legislative results of interest to Illinois municipal officials. *A. D. McLarty.* Ill. Mun. Rev. July, 1929.

**Justice of the Peace.** The advantages of coöperation between justices of the peace and a social agency. *Gladys V. Swackhamer.* Jour. Crim. Law and Crim. May, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Mayor.** New York's Jimmie. *Craig F. Thompson.* Nation. Aug. 28, 1929.

———. Our American mayors. XVIII. Daniel W. Hoan of Milwaukee. *Joseph P. Harris.* Nat. Mun. Rev. Sept., 1929.

**Metropolitan Area.** Progress toward metropolitan government in Cleveland and Cuyahoga county. *Leyton E. Carter.* Voters turn thumbs down on Pittsburgh's metropolitan charter. *Martin L. Faust.* Nat. Mun. Rev. Aug., 1929.

———. The proposed charter of the federated "city of Pittsburgh." *Rowland A. Egger.* Am. Pol. Sci. Rev. Aug., 1929.

**Municipal Rating.** Rating cities according to the services which their citizens are getting. *Mabel L. Walker.* Am. City. July, 1929.

**Paris.** The future of Paris. *Albert Guérard.* Atlan. M. July, 1929.

**Police.** Kansas City studies its police department. *Walter Matscheck.* Special police patrol in Portland, Oregon. *Charles Mc Kinley.* Nat. Mun. Rev. July, Aug., 1929.

———. Observations on American police systems. *Frederick J. Crawley.* Jour. Crim. Law and Crim. Aug., 1929.

**Prosecuting Attorney.** The prosecuting attorney in Ohio—an obsolete officer. *W. E. Binkley.* Nat. Mun. Rev. Sept., 1929.

**Prussian Rural Government.** Problem der Landkreisreform. *Kottenberg.* Zeitschrift für Kommunalwirtschaft. Jan. 25, 1929.

**Publicity.** Detroit's "barber shop" vote. *William P. Lovett.* Add professional publicity official to list of municipal executives. *Howard P. Jones.* Nat. Mun. Rev. Sept., 1929.

**Regional Plan.** Open spaces in the regional plan. *Charles W. Eliot, 2d.* Am. City. July, 1929.

———. The New York regional plan an accomplished fact. *Arthur C. Comey.* Nat. Mun. Rev. July, 1929.

**Russian Villages.** Local autonomy in Russian village life under the soviets. *Karl Borders.* Social Forces. Mar., 1929.

**Skyscrapers.** The vertical city. *R. L. Duffus.* New Repub. July 3, 1929.

**Taxation.** The reform of local taxation in Great Britain. *Alfred Plummer.* Quar. Jour. Econ. Aug., 1929.

———. Local taxation: recent changes in England and Wales. *I. G. Gibbon.* Nat. Mun. Rev. Sept., 1929.

**Traffic Problem.** The growing transport problem of the masses: rail or rubber or both? *J. Rowland Bibbins.* Utilizing Manhattan's traffic facilities. *John J. Quigley.* Nat. Mun. Rev. Aug., Sept., 1929.

———. Proper timing of progressive traffic. *D. J. McCormick.* Am. City. Sept., 1929.

**Welfare Administration.** St. Paul cleans up its welfare administration. *Herbert Lefkovitz.* Nat. Mun. Rev. Aug. 1929.

**Workhouse.** Cincinnati's city workhouse. *C. O. Sherrill.* Nat. Mun. Rev. Aug., 1929.

**Württemberg.** Die neue Gemeindeordnung in Württemberg. *Rienhardt.* Zeitschrift für Kommunalwirtschaft. Feb. 10, 1929.

**Zoning.** Zoning progress. *Joseph P. Chamberlain.* Am. Bar Assoc. Jour. Sept., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

## POLITICAL THEORY AND MISCELLANEOUS

### *Books*

*Ager, Edmund.* Practical revolution. Pp. 264. London: Butterworth.

*Albert, Charles.* L'état moderne. Paris: Libr. Valois.

*Aulard, A.* Les déclarations des droits de l'homme. Paris: Payot.

*Batten, Edward.* Nationalism, politics and economics. Pp. 146. London: King.

*Benoist, Charles.* Les maladies de la démocratie. L'art de capter le suffrage et le pouvoir. Paris: Édit. Prométhée.

*Bigne de Villeneuve, Marcel de la.* Traité général de l'état. Essai d'une théorie réaliste de droit politique. Pp. xxxii+626. Paris: Sirey.

*Bryant, A.* The spirit of conservatism. Pp. 175. London: Methuen.

*Carpenter, S. C.* Democracy in search of a religion. London: Student Christian Movement.

*Child, Richard Washburn.* Writing on the wall; who shall govern us next? N. Y.: Sears.

*Civis Romanus.* The pope is king. Pp. ix+186. London: Benn.

*Corradini, Enrico.* La riforma politica in Europa. Pp. 182. Milan: Mondadori.

*Gautier-Vignal, L.* Machiavel. Pp. 296. Paris: Payot.

*Kobler, Franz,* ed. Gewalt und Gewaltlosigkeit. Pp. 388. Zurich: Rotapfel.

*Leclercq, Abbé J.* L'état ou la politique. Pp. 580. Namur: Wesmael-Charlier.

*Lemarie, O.* La morale politique. Pp. 192. Paris: Alcan.

*Ligt, Barthélemy de.* Contre la guerre nouvelle. Paris: Rivière.

*Pagano, Antonio.* Idealismo e nazionalismo. Pp. 234. Milan: Treves.

*Rothe, Tancrède.* L'esprit du droit chez les anciens. Pp. ii+157. Paris: Sirey.

*Sait, Edward M.* Democracy. N. Y.: Century Co.

*Sauer, Wilhelm.* Lehrbuch der Rechts-und Sozialphilosophie. Berlin: Rothschild.

*Schoch, Magdalene.* Politische Wissenschaft. Berlin: Walther Rothschild.

*Smith, J. Allen.* Growth and decadence of constitutional government. N. Y.: Holt.

*Stern, Jacques.* Naturrecht und Weltrecht. Berlin: Japan-Institut.

*Van der Mandere, H. Ch. G. J.* De Vredesbeweging en hare Geschiedenis. Pp. ix+217. Leiden: Sijthoff.

*Woodbridge, Frederick J. E.* A son of Apollo. Boston: Houghton Mifflin.

*Wright, B. F., Jr.* A source book of American political theory. N. Y.: Macmillan.

### *Articles*

**Administration.** Théorie des rapports entre l'état et ses agents. *Albert Henry.* Rev. Int. Sci. Admin. No. 3, 1929.

**Aristotle and Plato.** Die Politik und die ökonomischen Verhältnisse nach Platon und Aristoteles. *Mauric Halbwachs.* Arch. Gesch. Sozialismus u. Arbeiterbewegung. No. 13, 1928.

**Bolshevism.** Americanismo e bolscevismo. *J. Evola.* Nuova Antologia. May 1, 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

**Class Struggle.** The importance of the class struggle in modern history. *Halvdan Koht.* Jour. Mod. Hist. Sept., 1929.

**Constitutional Law.** Zur geschichtlichen Entwicklung des Rechts der Verfassungsstreitigkeiten. *Hans Jochen Stolzmann.* Archiv öffent. Rechts. No. 3 (July), 1929.

**Democracy.** The recovery of citizenship. *Harold J. Laski.* Century. July, 1929.

**Economic Politics.** Economic politics in foreign government texts. *Albert Russell Ellingwood.* Social Forces. Dec., 1928.

———. Économie politique et politique. *E. d'Eichthal.* Rev. Sci. Pol. Apr.-June, 1929.

**Fascism.** Fascism. *J. S. Barnes.* Nat. Rev. Feb., 1929.

———. The new leviathan. *C. Dawson.* Dublin Rev. July, 1929.

**Freedom of Speech and Press.** Freedom of speech and of the press. *Hugh E. Willis.* Ind. Law Jour. Apr., 1929.

———. La loi sur la liberté de la presse. *José Théry.* Mercure de France. June 1, 1929.

———. Literary censorship and the law. *J. Conway Morris.* Quar. Rev. July, 1929.

**Functional Representation.** Functional representation. *Emerson P. Schmidt.* Am. Federationist. Jan., 1929.

**German-Americans.** Lieber, Körner, Schurz, drei grosse Deutsch-amerikaner. *Robert Wild.* Preuss. Jahrbücher. July, 1929.

**Liberalism.** Du libéralisme à la révolution. *Georges Guy-Grand.* Grande Rev. June, 1929.

**Marsiglio.** Sul "Defensor Pacis" di Marsilio da Padova. *Felice Battaglia.* Nuovi Studi di Diritto, Economia e Politica. Mar.-June, 1929.

**Parliamentarism.** La crise du parlamentarisme. *Comte de Fels.* Rev. Paris. June 15, 1929.

**Political Authority.** Social order and political authority. II. *John Dickinson.* Am. Pol. Sci. Rev. Aug., 1929.

**Political Science.** The teaching of political science at the public schools and universities. *C. R. Cruttwell.* History. July, 1929.

———. The democratic dogma and the future of political science. *Edward S. Corwin.* Am. Pol. Sci. Rev. Aug., 1929.

**Proportional Representation.** Why not make votes count? *George H. Hallett, Jr.* Am. Federationist. Apr., 1929.

**Public Opinion.** Sudden changes in group opinion. *Edwin H. Paget.* Social Forces. Mar., 1929.

**Socialism.** À propos de la crise doctrinale du socialisme. *Henri Noyelle.* Rev. d'Écon. Pol. Jan.-Feb., 1929.

———. Socialism through the weapon of finance. *Arnold Wright.* Finan. Rev. of Revs. Jan.-Mar., 1929.

———. Shavian socialism. *Barbara Wootton.* Econ. Jour. Mar., 1929.

———. La crise du marxisme. *Georges Guy-Grand.* Grande Rev. May, 1929.

———. Zur Problematik der Sozialismus. *Raphael Seligmann.* Sozialistische Monatshefte. July, 1929.

———. Socialism. I. *Stewart Murray.* Nine. Cent. Aug., 1929.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

———. A socialist looks ahead. *Roger Chance.* Fort. Rev. Aug., 1929.

**Social Philosophy.** Our social foundations and current philosophy. *Newton D. Baker.* Am. Bar Assoc. Jour. Aug., 1929.

**Sovereignty.** The fate of Calhoun's sovereign convention in South Carolina. *Laura A. White.* Am. Hist. Rev. July, 1929.

**Theory of the State.** Bemerkungen zur staats-und rechtstheoretischen Problematik der Gegenwart. *Hermann Heller.* Archiv öffent. Rechts. No. 3 (July), 1929.

**Women in Politics.** Women as honest grafters. *Ida M. Tarbell.* Century. July, 1929.

## GOVERNMENT PUBLICATIONS

MILES O. PRICE
*United States Patent Office*

### AMERICAN

### UNITED STATES

**Congress.** Directory, 71st Congress, 1st session, beginning April 15, 1929. . . . . Washington: Govt. Ptg. Off., 1929. 650 p.

———. Supplement 3 (to Mar. 4, 1929) to Code of laws of United States embracing statutes, general and permanent in their nature, passed by 69th and 70th cong. covering legislative action from Dec. 7, 1925 to Mar. 4, 1929. . . . . Washington: Govt. Ptg. Off., 1929. 590 p.

———. *House of representatives.* Constitution, Jefferson's manual, and rules of House of representatives, 71st Congress. . . . . Washington: Govt. Ptg. Off., 1929. 685 p.

———. Radio laws of United States; compiled by Elmer A. Lewis, superintendent House document room. . . . . Washington: Govt. Ptg. Off., 1929. 35 p.

*Interior department. Bureau of education.* Social studies in secondary education, 6 year program adapted both to 6–3–3 and 8–4 plans of organization, report of committee on social studies of Commission on reorganization of secondary education of National education ass'n. . . . . Washington: Govt. Ptg. Off., 1928. 55 p.

*Labor department. Children's bureau.* Child, family, and court; study of administration of justice in field of domestic relations: pt. 1, General findings and recommendations, by Bernard Flexner, Reuben Oppenheimer, and Katharine F. Lenroot. . . . . Washington: Govt. Ptg. Off., 1929. 87 p.

———. Tabular summary of state laws relating to public aid to children in their own homes, in effect Jan. 1, 1929, and text of laws of certain states. 3d edition. Washington: Govt. Ptg. Off., 1928. 37 p.

*Library of congress.* Cards for Government documents (official government, state, and municipal publications of United States and certain foreign governments. (Bulletin 13, 5th edition.) Washington: Govt. Ptg. Off., 1929. 3 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*Personnel classification board.* Government officials and employees. Report of personnel survey, Field survey division, Personnel classification board. Washington: Govt. Ptg. Off., 1929. 511 p.

*President.* Address of President Hoover on occasion of proclamation of general pact for renunciation of war .... Washington: Govt. Ptg. Off., 1929. 3 p.

———. Law observance, address of President Hoover at annual luncheon of Associated Press..... April 22, 1929. Washington: Govt. Ptg. Off., 1929. 5 p.

*State department.* International conference of American states on conciliation and arbitration. Proceedings..... Washington, Dec. 10, 1928–Jan. 5, 1929. Washington: Govt. Ptg. Off., 1929. 738 p.

———. Treaty between United States and other Powers providing for renunciation of war as instrument of national policy..... (Treaty series 796). Washington: Govt. Ptg. Off., 1929. 6 p.

## STATE AND TERRITORIAL

ARIZONA

*Secretary of state.* Election laws..... Phoenix, 1928. 150 p.

ARKANSAS

*Governor.* Inaugural address of Governor Harvey Parnell..... Little Rock, 1929. 25 p.

*Tax commission.* Digest of the laws of Arkansas relating to local assessment and equalization of property for the use of county assessors.... Little Rock, 1929. 54 p.

CALIFORNIA

*Commission on pensions of . ate employees.* Report. Sacramento, 1929. 62 p.

*Legislature.* Public hearings on Senate bills nos. 509–510 introduced for carrying into effect constitutional amendment adopted November, 1928, relating to revenue and taxation..... Sacramento, 1929. 33 p.

COLORADO

*University of Colorado, Bureau of business and government research.* The tax problem in Colorado with special reference to a readjustment of the tax burden, by Don C. Sowers, secretary..... Boulder, 1928. 104 p.

HAWAII

*Governor.* Message of Hon. Wallace R. Farrington, governor..... Feb. 20, 1929. Honolulu, 1929. 45 p.

ILLINOIS

*University of Illinois, College of education.* Titles of masters' and doctors' theses in education accepted by colleges and universities in the United States between November 1, 1923, and October 15, 1925..... October 15, 1925–October 15, 1927..... Comp. by Walter S. Monroe. Urbana, 1926–1928. 2 v.

*Secretary of state.* Illinois apportionment handbook concerning congressional and senatorial districts, comp. by William J. Stratton, secretary of state. Springfield, 1929. 17 p.

IOWA

*University of Iowa, Graduate school.* Graduate theses, including schedule of dissertations of approved candidates for advanced degrees..... Iowa City, 1928. 45 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

KANSAS

*Governor.* Message from the governor. . . . . Topeka, 1929. 4 p.

———. Message of Governor Clyde M. Reed to the legislature, session of 1929. Topeka, 1928. 32 p.

KENTUCKY

*Bureau of agriculture, labor, and statistics.* Kentucky laws and rules of interest pertaining to children, labor, safety, industry. . . . . Frankfort, 1929. 94 p.

*University of Kentucky.* A debate handbook on the United States and the protection of capital invested in Central and Latin America. A collection of essays and addresses concerning our economic, political, and military development under the Monroe doctrine and our Caribbean policy, comp. by Wm. R. Sutherland. Lexington, 1928. 318 p.

MASSACHUSETTS

*General court.* Manual for the use of the General court for 1929–1930. . . . . Boston, 1929. 746 p.

MINNESOTA

*Secretary of state.* The legislative manual of the state of Minnesota, comp. by Mike Holm. . . . . St. Paul, 1929. 559 p.

NEBRASKA

*Legislative reference bureau.* Manual of Nebraska legislative procedure. Senate rules, House rules, joint rules, apportionment, constitutional provisions, bill drafting. . . . . Lincoln, 1929. 151 p.

———. The Nebraska blue book, 1928. Lincoln, 1928. 511 p.

NORTH CAROLINA

*Historical commission.* North Carolina manual, 1929. . . . . Raleigh, 1929. 618 p.

OREGON

*Property tax relief commission, committee on equalization, redistribution, and indirect taxes to relieve real property of state tax.* Digest and summary of work of the sub-committee. . . . . Salem, 1928. 47 p.

———. *Committee on reduction of local taxation.* Digest and summary of work. . . . . November, 1928. 55 p.

PENNSYLVANIA

*Commission to study the laws, procedure, etc., relating to crime and criminals, Philadelphia.* Report to the General assembly. . . . . Philadelphia, 1929. 118 p.

*Dept. of labor and industry, Bureau of women and children.* A history of child labor legislation in Pennsylvania. . . . . Harrisburg, 1928. 31 p.

PORTO RICO

*Governor.* Message . . . . to the twelfth legislature, first session, Feb. 11, 1929. San Juan, 1929. 18 p.

RHODE ISLAND

*Commission on departmental reorganization.* Report . . . . 1929. Providence, 1929. 20 p.

SOUTH CAROLINA

*General Assembly.* Legislative manual, 11th edition. . . . . Columbia, 1929, 290 p.

VIRGINIA

*Dept. of public welfare.* Public welfare laws of Virginia. . . . . Richmond, 1928. 146 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

*University of Virginia, Institute for research in the social sciences.* Counties in transition. A study of county public and private welfare administration in Virginia, by Frank William Hoffer. University, 1929. 255 p. (Institute monograph no. 2.)

WASHINGTON

*Legislature.* Joint rules. . . . . Olympia, 1929. 284 p.

WISCONSIN

*Civil service commission.* State civil service law, rules and regulations. Madison, 1928. 64 p.

*Tax commission.* The farmer in Wisconsin's system of taxation. . . . . Paper . . . . by Charles D. Rosa, of the Wisconsin tax commission. Madison, 1928. 32 p.

*University of Wisconsin, Municipal information bureau.* Municipal radio interference ordinance, by Ford H. MacGregor. Madison, 1929. 19 p. (mim).

## FOREIGN

ÅLAND ISLANDS

Berättelse avgiven till Ålands Landsting över förvaltningsåret, 1925–1926, av Landradet i landskapet Åland. Åbo, 1927. 71 p.

BRAZIL

*Biblioteca nacional.* Documentos historicos, Vol. V, Ser. III, 1650–1688. Ordens, regimentos, provisões, alvarãs o correspondencia do Governadores geraes. Rio de Janeiro, 1928. 500 p.

———. Same, Vol. VI, Ser. E, 1663–1677. Rio da Janeiro, 1929. 490 p. Vol. VII, Ser. E, 1660–1670. Rio de Janeiro, 1929.. 510 p.

———. São Paulo (state). São Paulo; her government, her economic and cultural development, her relations with the United States of America. São Paulo, 1928. 76 p.

CHINA

Sino-foreign treaties of 1928; texts of the documents which lay the new foundations for Sino-foreign relations. Peking, 1929, 52 p.

———. The civil code of the Republic of China. Book I. General principles. (Promulgated by the National Government on the 23d of May, 1929.) Translated by Ching-lin Hsia, and James L. E. Chow. Nanking, 1929. 57 p. Chinese and English text.

———. Organic law of the national government of the Republic of China. (Promulgated at Nanking on October 4, 1928.) Nanking, 1929, v. p., text in Chinese and English.

COLOMBIA

*Presidente del senado.* Cuestiones internacionales . . . . por el Doctor Antonio José Uribe . . . . Bogota, Imp. Nac., 1928. 11 p.

CUBA

*Delegate to Washington.* Conciliation y arbitraje en America. Documentos relatives a la discusion de materios en la Sexta conferencia internacional de estados Americanos. . . . . Washington, 1929. 112 p.

DOMINICAN REPUBLIC

*Secretaria de estado de relaciones exteriores.* Tratado fronterijo Doménico-Haitiano . . . . 21 de Enero de 1920. Santo Domingo, 1929. 23 p.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FRANCE

*President.* La réforme monétaire exposé des motifs du projet de loi monétaire (texte de la loi du 25 juin 1928 et des conventions annexes). . . . . Paris, 1928. 187 p.

GERMANY

*Auswärtiges amt, Berlin.* Die auswärtige politik des Deutschen reiches 1871–1914. . . . . Unter leitung von Albrecht Mendelssohn Bartholdy u. Friedrich Thimme hrsg. vom Institut f. auswärt. politik in Hamburg. Berlin: Deutsche Verlagsges. f. Politik u. Gesch., 1928. 4 v., 799, 749, 730, 877 pp.

———. Der waffenstillstand 1918–1919. Das dokumenten-material d. waffenstillstands-verhandlungen von Compiègne, Spa, Trier und Brüssel, notenwechsel, verhandlungsprotokolle, verträge, gesamttätigkeitsbericht. . . . . Berlin: Deutsche Verlagsges. f. politik u. geschichte, 1928. 3 v.

———. Materialien zum kriegsächtungspakt. Berlin, 1928, 81 p. 2. erg. ausg. Berlin, Reichsdruckerei, 1928. 115 p.

———. Verzeichnis der ausländischen konsuln im deutschen reich. . . . . Mai 1928. Berlin, Mittler, 1928. 93 p.

———. Das staatsarchiv. Bd. 1, h. 2/3. Die verhandlungen über die sicherheitsfrage von ihren anfängen bis sum abschlusz der Locarnoverträge. Leipzig Akad. Verlagsges., 1928. 237 p.

———. Bd. 1, h. 4. Die verhandlungen über die sicherheitsfrage von ihnre anfängen bis sum abschlusz der Locarnoverträge. Leipzig, Akad. Verlagsges., 1928. 120 p. (to be continued).

*Institut für auslandisches öffentliches recht und völkerecht, Berlin.* Beiträge zum ausländischen öffentlichen recht und völkerrecht. h. 8. Bumiller, J. M. Die völkerrechtliche stellung der fremden truppen im Saargebiet. Berlin, de Gruyter, 1928. 156 p. Beiträge zum ausländischen öffentlichen recht und völkerrecht. h. 9. Das recht des ausnahmezustandes im Auslande (Frankreich, Belgien, Niederlande, Italien, England, Irland). . . . . Berlin, de Gruyter, 1928. 295 p. h. 10. Gerland, Heinrich B.: Die beziehungen zwischen dem Parlament und den gerichten in England. Eine rechtsvergl. studie. Berlin, de Gruyter, 1928. 137 p.

h. 11. Leibholz, Gerhard.: Zu den problemen des fascistischen verfassungsrechts. . . . . Berlin, de Gruyter, 1928. 112 p.

h. 5. Grentrup, Theoror.: Die missionsfreiheit nach den bestimmungen des geltenden völkerrechts. . . . . Berlin, de Gruyter, 1928. 112 p.

h. 6. Robinson, Jacob.: Das minoritäts problem und seine literatur. Krit. einführg. in d. quellen u. d. literatur d. europ. nationalitätenfrage d. nachkriegszeit. . . . . Berlin, de Gruyter, 1928. 265 p.

*Deutschen institut für wirtschaftlich arbeit in der öffentlichen verwaltung, Berlin.* Schriftenreihe des DIWIV. Bd. 4. Reformen in der Preuszischen justizverwaltung. . . . . Berlin, C. Heymann, 1928. 182 p.

*Preussisches staatsministerium, Berlin.* 1928. Politik in stichworten. Hrsg. von d. Pressestelle. . . . . Berlin, Gersbach u. Sohn, 1928. 80 p.

*Reichsarbeitsministerium, Berlin.* Deutsche sozialpolitik 1918–1928. . . . . Berlin, Mittler, 1928. 319 p.

*Reichsarchiv, Potsdam.* Forschungen und darstellungen aus dem. . . . . h. 7. Moltke, Helmut v. Die deutschen aufmarschpläne 1871–1890. . . . . Berlin, Mittler, 1929. 166 p.

LICENSED TO UNZ.ORG
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*Reichstag, Berlin.* Reichstags-handbuch. 4. wahlperiode 1928. Berlin, Reichsdruckerei, 1928. 578 p.

———. Das werk des untersuchungsausschusses der verfassunggebenden Deutschen Nationalversammlung und des Deutschen Reichstages 1919 bis 1928. Verhandlungen, gutachten, urkunden. . . . . Berlin, Deutsche verlagsges f. politik und geschichte, 1928.

Reihe 4. Die ursachen des deutschen zusammenbruches im Jahre 1918.

Abt. 1. Der militärische und auzenpolitische zusammenbruch.

Bd. 1. Entschlieszungen des 4. unterausschusses und verhandlungsbericht (3 aufl.) 515 p.

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Bd. 3. Gutachten der sachverständigen General d. inf. a D. von Kuhl und Professor Hans Delbrück. (3 auf.) 384 p.

*Reichszentrale für heimatsdienst, Berlin.* Die deutsche sozial-politik in der nachkriegszert. . . . . Berlin, Zentralverlag, 1928 55 p. Aufgaben und Ziele der staatspolitischen aufklärungsarbeit, von Dr. R. Strahl. Berlin, Zentralverlag 1928. 36 p.

———. Der Deutsche reichstag. Eine kurze einführung in s. arbeit und s. organization. Hrsg. von Paul Löbe, Präsident der Deutschen reichstags. Berlin, 1929. 48 p.

———. Die deutsche sozialpolitik. Material f. vorträge. 2 ausgabe. . . . . Berlin, December, 1928. 116 leaves.

———. Die verfassung des Deutschen reichs vom 11 August 1919. Textausgabe und sachverzeichnis. Berlin, 1929. 47 p.

*Reichsministerium des innern, Berlin.* Die organization der länder und der einflusz der länder auf das Reich. . . . . Berlin, 1929. 11 p.

*Preussisches staatsministerium, Berlin.* Handbuch über den Preuszischen staat. Berlin, Decker, 1929. 1232 p.

HOLY SEE

(*Pius XI*). . . . . Inter Sanctam sedem et Italiae regnum conventiones initae die 11 Februarii 1929. Romae, Typis polyglottis Vaticanis, 1929. 209–295 p. (Text in Italian).

———. *Vatican City.* . . . . Supplemento per le leggi e disposizioni dello stato della Città del Vaticano. . . . . Città del Vaticana, Tip. poliglotta Vaticana, 1929. 32 p.

MEXICO

*Secretaria de relaciones exteriores.* La labor diplomatica de D. Manual Maria de Zamacona como secretario de relaciones exteriores, prologo de Antonio de la Pena y Reyes. Mexico, 1928. 160 p.

———. Bibliografia del trabajo y de la prevision social en Mexico . . . . por Lombardo Toledano. Mexico, 1928. 216 p.

SWEDEN

*Socialstyrelsen.* Social work and legislation in Sweden. Survey. . . . . Stockholm, Kungl. botryckeriet, 1928. 289 p.

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